



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

13 December 2001

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The Assembly met at 10.30 am.

(Quorum formed.)

MR SPEAKER (Mr Berry) took the chair and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Death of Sir Gordon Freeth KBE

MR STANHOPE (Chief Minister, Attorney-General, Minister for Health, Minister for Community Affairs and Minister for Women): I move:

That the Assembly expresses its deep regret at the death of Sir Gordon Freeth KBE, a former Minister for the Interior and Works, and tenders its profound sympathy to his family in their bereavement.

Mr Speaker, it is with much sadness that we have learned of the recent death of Sir Gordon Freeth in November of this year. Sir Gordon Freeth was born in Angaston, South Australia, on 6 August 1914. He attended Sydney Church of England Grammar School, before moving to Guildford Grammar in Western Australia. He graduated in law from the University of Western Australia in 1938, the same year that he rowed in the winning Australian four at the Sydney Empire Games. During the next year, he married and set up as a barrister and solicitor in Western Australia.

In 1942, he became a pilot for the RAAF, flying Beauforts in New Guinea, and he was a flight lieutenant by the time he was demobilised in 1945. After the war he became prominent in local affairs. This led to his subsequent election to the House of Representatives in 1949 as a member for the seat of Forrest. He held this seat until the 1969 federal election. He was appointed Australian Ambassador to Japan from 1970 to 1973, and was then High Commissioner in London from 1977 to 1980. Sir Gordon was created a Knight of the British Empire in the New Year's honours list of 1978. He died at the age of 87 in Western Australia, on 27 November 2001.

His association with the ACT was as a politician, as a minister and as a member of the Menzies, Holt and Gorton governments. That association was heightened from 1958 to 1963, when he was Minister for the Interior and Works. In this role he was responsible for the Australian Capital Territory.

In 1958, he took over the role of Minister for the Interior just after the legislation establishing the National Capital Development Corporation was passed. The expectation at the time was that the Minister for the Interior should live in Canberra. Although his family stayed on in Western Australia, he fulfilled this expectation by taking a flat in the city and declaring Canberra as his principal residence.

He was also noted for following Sir Paul Hasluck's example of acquiring a small runabout car to use for private business, even though he was entitled to an official car at all times. This adherence to principle must have caused him a headache or two. The story

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is that, apparently, staff at the car registration testing station recognised the minister's car when it came through, and took delight in faulting it. Consequently, it rarely got through on the first check.

During his lifetime, Sir Gordon saw Canberra develop way beyond anything he imagined when he was Minister for the Interior and Works. As the Minister for the Interior, he called for a departmental paper on the likely implications of a transfer of municipal-type responsibilities to a locally elected body. In his capacity as Minister for Works he also called for a similar paper from the ACT director of works.

An internal Department of the Interior paper, *Self-Government for the Australian Capital Territory: A Progress Report and Exploratory Study*, prepared by Sir Gordon's private secretary in August 1968, notes that he asked for this work to be done in anticipation of continual needling by the ACT Advisory Council on its lack of powers.

After receiving these papers he did not take any further action. However, they were put on hold in readiness for the day when local demands for greater responsibilities built up to the point where they could no longer be disregarded.

However, as the responsible minister for the Australian Capital Territory, he oversaw the development of the NCDC into the powerful and influential planning body that most Canberrans remember—the agency that established the basis for town planning in Canberra.

Mr Speaker, on behalf of the Assembly, I wish to express condolences to his surviving family: twin daughters, a son and their families.

MR HUMPHRIES (Leader of the Opposition): I am very happy to offer my support to this motion on behalf of the Liberal Party. Sir Gordon Freeth was a man of the old school, a man for whom duty came before all else.

He was one of those large band of Liberals who entered the enlarged parliament in 1949 at the election that inaugurated 16 years of rule by Sir Robert Menzies, and 23 years of unbroken coalition government. Like many in that talented intake, Gordon Freeth had to wait some time for ministerial preferment, but when his time came he was more than ready.

He was, for a time, the minister in charge of the Australian Capital Territory, as we have heard. Of course, it was a position that did not make him entirely popular in Canberra at that time, responsible as he was for all the functions carried out today by the government of the ACT.

Mr Stanhope has told the story of Sir Gordon's preference for his own car, a habit that has become far more prevalent, at least at the ACT government level, than was fashionable in Sir Gordon's time.

Sir Gordon Freeth brought a rare clarity of mind to his political career, no doubt a product of his training as a barrister. This particular quality did not always endear him to many on his own side of politics, and it led to his political career ending in some controversy.

As Minister for External Affairs, as it was then called, he noted with concern an increasing Soviet naval presence in the Indian Ocean, this being the height of the Cold War. His response was more that of a lawyer than a politician: he said to the public at large, “Why don’t we talk to them and see what it is that they want?”

Of course, talking to Russians was not exactly popular with large sections of the Western world, and many here in Australia—the Country Party, the DLP, and even many members of the Liberal party—began to bay for Sir Gordon’s blood. Even his cabinet colleague, Black Jack McEwan, accused Sir Gordon of being soft on communism, a dangerous tag to wear in that period of international stand-off. The report is that, at the first meeting of cabinet after the statement had been made by Sir Gordon, John McEwan began proceedings by saying, “What is this I hear about us going soft on communism?”

We might be tempted to see Sir Gordon Freeth in that sense as a man ahead of his time. The upshot of all this was that there was a swing against him in his Western Australian seat, Forrest, at the 1969 election, and he lost that seat. Ironically, his opposition came mainly from wheat farmers, who happily sold their grain to communist China. It was the end of Sir Gordon’s political career, but not, of course, the end of his career in public life, because he went on to serve as Ambassador to Japan and as High Commissioner in London.

Sir Gordon Freeth was a man dedicated to public service, a person with many important achievements to his name. In particular, he was a man who administered well the department that was responsible for the administration of this city during a period when Canberra was experiencing unprecedented growth, in its development from a small and sleepy country town into the city familiar to us today.

Mr Speaker, I am very happy to support this motion of condolence on behalf of the Liberal Party.

Question resolved in the affirmative, members standing in their places.

Death of Ms Helen Leonard

MR STANHOPE (Chief Minister, Attorney-General, Minister for Health, Minister for Community Affairs and Minister for Women): I move:

That the Assembly expresses its deep regret at the death of Helen Leonard, prominent ACT women’s activist, and tenders its profound sympathy to her partner and family in their bereavement.

Mr Speaker, it is with much regret that I learned of the unexpected and sadly premature death of the women’s activist, Helen Leonard, on 12 October, aged just 56 years. Helen touched more women’s lives than most could imagine. She began life in Sydney, attended Hornsby Girls High School, and then moved on to Sydney’s Royal North Shore Hospital as a student nurse. Following the births of her son and two daughters, Helen commenced the work whose legacy we now enjoy.

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In 1973, she became an active member of the newly created Nursing Mothers Association of Australia, at a time when, in parts of Australia, women could be charged with offensive behaviour for breastfeeding in public, and relatively few Australian mothers were encouraged to breastfeed. What changes in thinking have been led by women such as Helen!

Helen's commitment to the Nursing Mothers Association continued through localised group leadership and counselling. She moved up the ranks until her eventual appointment, in 1988, to the National Women's Consultative Council as the representative of the Nursing Mothers Association or Australian Breastfeeding Association, as it is now known.

Still living in Sydney, Helen worked for the New South Wales health department, providing self-esteem and communication training. Helen developed lobbying skills inspired by her growing conviction that women should be free to make their own decisions, and be supported in those decisions.

At the same time as her appointment to the National Women's Consultative Council, she was a co-director of Distaff Associates, a co-convenor of WRITES, the umbrella organisation for the Women's Economic Think Tank, and was also involved with *Refractory Girl*, the Women's Radio Network and other groups. Helen made a number of other notable contributions during her time with the National Women's Consultative Council, including the organisation of the Women's Tax Convention here in Canberra.

Helen had a deep interest in spiritual matters throughout her life, and a passion for photography. She was particularly interested in spiritual issues from a feminist perspective. This gave her the desire to attend the 1987 conference on women in the Australian Catholic Church. As she was unable to afford the registration fee, she negotiated to attend as an accredited photographer.

From that point on, Helen was always seen with her camera. She created an extraordinary library of photographs recording the history and activities of many women's organisations in Australia. The National Foundation of Australian Women, together with Helen's family, hope to put these photographs on display.

Helen's impact on the community did not stop with her photography. She founded the National Women's Media Centre, after working with her friend Ann Deveson, the journalist and writer, on the portrayal of women in the media. After identifying the fact that only 20 per cent of interviewees in the media were women, Helen led the project that produced the 1998 national women's media directory.

Helen moved to Canberra in 1998, to become national executive officer for the Women's Electoral Lobby. She then moved on to the position of executive officer of the Women's Services Network. She remained in this role until the time of her death, while also being involved with the National Breast Cancer Foundation, the National Women's Media Centre and, through the women's history month, the Coalition of Australian Participating Organisations of Women, or CAPOW. As a consultant, she was involved with a range of other groups.

Helen always worked to the motto:

I am optimistic about the future because futures are made by creating the dream that you wish it to be, and working at getting it there. If you are not going to be optimistic about it, then it is not going to happen.

Everything that Helen put her hand to, or tirelessly helped others to do, was part of her ultimate goal to improve the lives of women and children. She was always, however, aware of how much more needed to be done. I am sure, Mr Speaker, that all members will join me in acknowledging Helen's great contribution to women's issues in Australia, and in expressing our sympathy to her partner, Judy Harrison, her son, Christopher, and daughters, Robyn and Carolyn Inman.

MR HUMPHRIES (Leader of the Opposition): Mr Speaker, on behalf of the opposition I am happy to lend support to this motion of condolence to the family and friends of Helen Leonard.

As we have heard, she was a woman of quite remarkable ability, who spent her life involved in a very large number of issues, almost all of them affecting the welfare and advancement of women in Australian society. She was the national executive officer of the Women's Electoral Lobby, and she worked also as the national executive officer for the Women's Services Network. She was also involved in breast cancer endeavours, and in areas to do with Australian women in the media.

In this last area, she engaged in groundbreaking activity. As we heard, at that time only a small minority of people interviewed on television, in news and current affairs programs, were women. Women were not often selected by journalists and others as a source for views about different issues. She dealt with that perception in a very characteristic way: she set up the national women's media directory, which was designed to provide a list of women who would be available to speak to the media on issues about which they had some expertise. It was a tribute to the value of the idea that many women came forward to put their names down as people with a capacity to comment on particular areas of media interest.

Her involvement in a large number of organisations indicates that she was a woman who had a great desire to address injustice and need in the community. The variety of her activities across the field demonstrates that she was a person of quite exceptional ability, an ability often acknowledged and recognised by people with whom she worked.

The former Equal Opportunity Commissioner, Susan Halliday, said this of Helen Leonard after her death:

Helen Leonard was not only a woman who provided endless support to others, she was the type of person who made it possible for others to achieve, while never herself seeking credit. Her enthusiasm was contagious, her ability to motivate people inspiring and her willingness to look for the bright side, throwing caution to the wind, and get out there and make a difference when it appeared all had been lost, goes unmatched.

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Her death was unexpected and she will be sorely missed by a very large number of people in Australia with whom she worked and whose lives she touched by virtue of her activities advancing the position of women. I support the motion before the house.

MS DUNDAS: I thank the previous speakers for their kind words and rise to add my voice to the many who remember a friend and a feminist activist.

The condolence book online at www.wel.org.au is full of stories about how Helen touched so many lives, and is a fitting tribute to one who embraced the web and made it her own. Many of the stories touch on Helen's great ability to encourage and inspire women to be outspoken and outrageous, a skill Helen herself had in spades.

It deeply saddens me that one of the first events I attended after the announcement of the election result was a celebration of Helen's life. I know that Helen's congratulations would have been among the most enthusiastic. She would have been sitting in my office already, and all of your offices, encouraging and providing insights on a number of issues. Helen's death during the campaign saddened a number of candidates, and I am glad that we could come together, even though we were battling for seats, to remember Helen.

Helen was special in the way that she welcomed women trying to discover feminism and activism, and the way she treated us all as equal. While her cooking and skills in the kitchen could also be classified as special, it never stopped her being hospitable to those who wandered in. As a young woman trying to participate in an organisation that had already changed the world, and that was full of amazing and well-respected women and feminists, I appreciated that Helen enabled many young women and newer feminists to participate, and that she helped us recognise feminist leaders as women as well.

Her dedication and enthusiasm, and her camera, which recorded so many women and events, will never be forgotten. Her contribution, as part of a strong and continually growing movement, will always be cherished. Thank you Helen.

MS TUCKER: Helen Leonard's death has left an enormous hole in many people's lives, and in the network of feminists in Canberra and around Australia and the region. For anyone who hadn't had the pleasure of meeting Helen, the tributes on the Women's Electoral Lobby's web site will show you what a rich life she led, how many people she touched, and how many people feel deeply the gap left by her sudden death. In this virtual condolence book are many beautiful and moving tributes to Helen, and to the partnership of Helen and Judy Harrison.

Helen was an inspirational feminist to many, a campaigner, stirrer, strategic planner, networker, mentor and friend, with seemingly unflagging energy and humour. From the Nursing Mothers Association of Australia to the Women's Electoral Lobby, CAPOW, and the National Women's Media Centre web site, and on almost every feminist action in between, Helen has been an important presence.

Helen's contribution and presence are still there, through her work, the strength of her personality, and her example, and I think she will continue to be a tremendous force. Helen and Judy Harrison, together, seemed to be part of every feminist activity in town.

Through my personal contact with Helen, working with her, I benefited from her connectedness, her caring, and her free thinking.

Members may remember controversy in the last Assembly over a bus ad, an ad for a hair and nail salon that used the image of a naked woman. ACTION did not want it on the bus, and the then minister did not want it on buses, although there have been all over the buses images of fully dressed women who look more sexualised.

There was controversy, and when I first discussed it with Helen she was dubious of the use of a naked woman, as were other women with whom I discussed it. However, after seeing the image, Helen was excited about it, for different reasons. She was prepared to stand up and fight for the salon manager's vision of the image as a positive representation of women: not a waif, not violated, and not a sex object. There were other women—other feminists—who saw that image as sexualised. Helen was prepared to stand up and argue the case. That energy, preparedness to challenge, and bravery—that positive power—are extremely precious in our community.

Many women's tributes speak of Helen's humour, her attention to working with people, and her sense of being on a journey together. Social change is a long and difficult process. It requires a deep transformation personally, and of formal structures of all kinds in society. It has to be creative and, for all this, partnership, friendship and humour are fundamental.

When one of my part-time staff members let her know that I could not make it to an event, Helen said, "Well, what about you? You can't afford it this week? I will pay." Helen made things happen in creative ways. She was a tremendous force.

To give some examples of Helen's work, I would like to mention two of the feminist projects of which she was a part. For the National Women's Media Centre, Helen was the web editor and certainly the person who introduced me, and many others I am sure, to the project. The National Women's Media Centre is "the only national women's organisation dedicated to developing a media ethic in Australia that assumes equality of women and men in all aspects of its operations". This web site, and the project behind it, has links to women with expertise and experience in public life and making the media work.

On this site, there are essays, discussions, help to start writing letters, journalists to contact, links to spokeswomen—no more excuses for journalists who do not contact women—and other useful, stimulating pages, including the women's history month page. A concrete product of women's history month is a fabulous web page, which encourages participation and debate, and inspires, celebrates and teaches. It is a tool for change, building a sense of achievement and of sisters in struggle.

I think it shows Helen's contribution and her wisdom. She knew the elements of change through having worked on social change so wholeheartedly and so whole-mindedly for so long.

The section of the web site called "today in history" carries instructions to bookmark this section and check it daily, keeping women's history firmly in mind. This section also includes biographies, a list of women of achievement, and a women's time line—

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“women have always been there and still are”—and I don’t really need to add to that. Also included are great women’s history links and women’s history projects, such as the Western Australian Banner Project—1999 Special Project, involving a banner to celebrate the victory that achieved suffrage for women 100 years before. This project reminded us to celebrate victories and make sure that women know what this group in WA has done to celebrate connectedness.

There is also a section called “what you can do”, which is so important. It suggests that we help put women back into history, saying email your contributions, find a biography on the web and send it, or find a significant date—especially a day date—and send it. If it interests you, it will interest others—send it. One great link suggests that users visit the National Pioneer Women’s Hall of Fame.

Vision, inspiration, making connections and building knowledge: these are only a small part of the work to which Helen contributed. She also contributed the intangibles: the connections, the inspirations, the laughs, the strategies, the shared lessons, and the love and friendship that are far-reaching legacies.

I would like to quote two of the women who left their tribute to Helen in a condolence book on the Women’s Electoral Lobby web site. Robyn Henderson, of the New South Wales Department for Women, wrote:

Friday was a terrible day for the women of Australia and in the Department for Women we were particularly sad because Carolyn, Helen’s daughter, was at work when she heard of her mother’s death. Yet, it did not take long for the Helen photos to be put on the table and for the Helen stories to be shared. Everyone had a different tale of how Helen had helped them, mentored them, driven them mad with her persistence and, above all, had been kind and generous to them. While we will miss her great smile and ideas we are blessed with her legacy and are committed to carry it forward in her memory.

Another, Mythiley Iyer, from Brisbane, wrote,

If there is a place where all people who leave this life go, then all I can say to men in there is, “I’d be enjoying any vestiges of male privilege, because boys, it is over.”

Thanks, Helen, for all the fun. On behalf of the Greens, my office, and myself, thank you, Helen, for your enormous but too short life. We will miss you. Sincere condolences and sympathy to Judy Harrison, Helen’s partner, to Helen’s children, and to her extended family and many friends.

Question resolved in the affirmative, members standing in their places.

Standing orders—proposed select committee

MR CORNWELL (10.57): I move:

That, notwithstanding the provisions of standing order 217:

- (1) a Select Committee of three Members be established to review Standing Orders of the Legislative Assembly of the ACT;
- (2) the Committee report to the Assembly by the last sitting day in June 2002.

Perhaps I should explain the preamble of the motion, which is that 217 states:

The Assembly may appoint select committees but the terms of reference of such committees shall not include matters within the responsibility of any standing committee.

It could be argued that this matter is within the responsibility of the Standing Committee on Administration and Procedure, but I will come to that a bit later on.

Members, we have 275 standing orders for this Assembly, which have largely been inherited from the federal parliament. I think we lifted our standing orders from the House of Representatives in 1989, when this Assembly was established. That is 12 years ago. I believe that, despite the fact that some amendments have been made over this period, it is high time that we reviewed this set of standing orders, and adapted them for the use of this, the ACT Legislative Assembly.

We have certainly made a few amendments over the period. I would remind members of standing order 118A, which requires ministers to answer questions on the notice paper within 30 days. This is an initiative that was taken by this Assembly, and it has certainly been one that I would commend. However, the point I am making is that no overall examination of our standing orders has been conducted. At best, we have carried out piecemeal improvements and changes. I believe this should now be corrected.

No doubt, individual members will have particular standing orders they would wish to see amended, deleted, or whatever. I do not want to try to identify all of these, because I think that they can be the subject of representations by individual members to the select committee that I am proposing. However, I would just remind members of a few of the standing orders with which we have had some problems in the past.

The somewhat notorious standing order 52, entitled reflections on a vote of the Assembly, has caused us many problems, over time. I would like to see that particular standing order examined. Time limits for debates, in standing order 69: people might like to have a look and see whether those times are long enough. Some members may think they are not long enough at all. I trust that would not be the case, but that is a personal view.

I flag the questions of personal explanations in standing order 46, and the misquotes and misunderstandings dealt with in standing order 47, not because I believe that they should necessarily be changed, but to indicate the areas that we could examine. Other members will no doubt think that other areas of standing orders could be amended.

I have suggested in my motion that the Assembly should establish a select committee, rather than referring this matter to the Standing Committee on Administration and Procedure. However, I have to advise members that I do not feel strongly about this matter. The only reason I am suggesting the select committee is that I think the standing committee will probably find itself busy with a lot of other matters as time goes by. As members of the previous standing committee would be well aware, we had some difficulty in completing reports, certainly over the last 6½ years while I was Speaker.

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I therefore feel that that committee will probably be faced with the same predicament in the next three years, and that perhaps it might be easier to appoint a small select committee to look at this matter, therefore relieving some of the pressure on that standing committee.

However, I also believe that reviewing these standing orders does not simply require amending or deleting our existing set. We could also look at adding or, indeed, changing the standing orders. One of the things that interest me—and I think this is conducted in the Senate, although I could stand corrected—is a sin bin arrangement, whereby members are not thrown out for a statutory three hours, but simply asked to leave the chamber for around 10 minutes, to allow the passions that are engendered in the fierce debates that take place to cool down.

These are matters, as I say, that this committee could examine in the overall examination of the ACT Assembly's standing orders, and I commend the motion to the house.

MR HARGREAVES (11.03): The government will not be supporting this motion. There are a number of reasons. We do appreciate that standing orders ought to be a living document that reflects the changes in the way members perceive their role within the chamber, and the way that behaviour can be governed, determined, and indicated to members.

The standing orders are a guide to how we actually conduct business here and certainly, as things change, they should change also. However, there is a vehicle already in existence that has, as its responsibility, the standing orders of this place, in fact the total administration of this place, and that is the Standing Committee on Administration and Procedure. Now, that standing committee actually uniquely comprises, I think, the Speaker, and four other members in this Assembly. It contains a member of the government, a member of the opposition, and all of the crossbench.

We therefore have a vehicle for expressions of discontent and irritation, and for suggestions about change, both positive and negative. We have a vehicle to deal with these matters. All of our committees were created in a spirit of cooperation and, I would hope, consensus. In the committee meetings in which I have already participated, I have seen evidence of goodwill that follows on from the fourth Assembly.

I would assume that the Standing Committee on Administration and Procedure will contain as much goodwill as the rest of them. In fact, I would expect that it will have as much goodwill as the rest of them, and that it will take its job particularly seriously, because it has two roles. One is the determination of such things as the daily program. It has a purely advisory role, advising the Speaker on the administration of the budget, and so on, for the Assembly, but it also has the job of guardian of the standards of this Assembly.

I therefore believe that there is already a committee that could receive referrals for specific issues. I do not think there is any need for a general inquiry into standing orders, because it will just wander off on tangents all over the place. However, if there are specific concerns about specific standing orders, they can be referred to the Standing Committee on Administration and Procedure to investigate and report on to the

Assembly. If that happens, and if the committee is being conducted in a spirit of goodwill, I think we will have a positive result to report to the Assembly.

That is the first reason, and I will just go over that again: there is an existing standing committee that has the charter to look after the administration of this place, and to look into the procedure of this place. Standing orders address procedure and so too, of course, does the title of that standing committee—Administration and Procedure—the procedure bit talks about standing orders.

The second reason, and the big one, is that we are being asked to create a select committee to look into standing orders, one of which says that we cannot do so. Standing order 217 says,

The Assembly may appoint select committees but the terms of reference of such committees shall not include matters within the responsibility of any standing committee.

I would argue that what we are seeking to do here falls within the responsibilities of the Standing Committee on Administration and Procedure. What we are saying here is that we want to have a select committee to look into standing orders, notwithstanding one which says we cannot do it. I think that is the silver bullet on this one.

Mr Speaker, the government will not be supporting the motion, and I would urge members who have a concern about particular standing orders to raise them with your good self for inclusion on the agenda of the Standing Committee on Administration and Procedure. Then, when we get together and discuss these things, we can receive the concerns of members and actually improve the functioning of this place.

MS TUCKER (11.08): I will not be supporting this motion, either, for similar reasons to those Mr Hargreaves gave on behalf of Labor.

I understand Mr Cornwell's argument that it is a big task, and that that is why he thought there was an argument for a select committee. I agree that it is a big task, but I do not actually think it needs to be such a big task. I think it is within the terms of reference of the Standing Committee on Administration and Procedure. I think that, if people have particular issues with any particular standing orders, those should be referred to the standing committee to see if there is the will to examine it.

In my view, the Assembly has to have the will—not just the committee—to look at particular standing orders. There may well be some that should be examined, and I am open to that. Mr Cornwell raised a few examples. I know I had concerns about a couple in the last Assembly, so I think it is a perfectly valid thing to take a look at particular standing orders. If people want to do that they can. However, I think, at this point in time, we do not want a full inquiry into all the standing orders in a select committee or in the Standing Committee on Administration and Procedure.

MR WOOD (Minister for Urban Services and Minister for the Arts) (11.10): Mr Speaker, it has already been pointed out that the government will not be supporting Mr Cornwell's motion. There is a committee charged with looking at these things and, over the years, there have been a number of changes to the standing orders. If someone

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with a bit of time could go back and see how often it has happened, they would find that there have certainly been a number of occasions on which amendments have been made, so the facility is there to amend the standing orders at any time.

The question is whether the task is so great that it needs a special committee, and I am not sure that has been demonstrated. It is sensible enough to allow the Standing Committee on Administration and Procedure to do this. Members might raise particular standing orders that cause problems. For example, every afternoon now, every sitting day, I will get up at 5.00 o'clock and move that the house do now adjourn. There may be some good, logical reason for that—perhaps there is—but let's look at that.

However, I can easily raise that. I use that as an example. If I had a thought about that, it is that it is no trouble to get a briefing on why that standing order is there, and then to circulate something among colleagues to see if we want to change it.

One other point I would make, and I made it a number of years ago, is that, when they were first drafted, the standing orders were very, very well done. I am a person who says, "By all means change the constitution." I am not saying that, because we have a constitution here, we have to stick by it. However, the constitution, if I can use that term for standing orders, was quite well done 12 or so years ago.

It was particularly well done in one respect, in that it removed any sexist language from standing orders. In other parliaments, a lot of that sexist language is probably still there, although I guess they ought to be trying to remove it. However, great effort was made by the officers at that time to remove any hes, shes, or she/hes, and those sorts of things, and it was done quite successfully.

By all means let the Standing Committee on Administration and Procedure look at areas where they see a need. I think that is the way to go.

MR CORNWELL (11.12), in reply: I will not speak for long, and I will close the debate. I want to say simply that I have a certain sense of *deja vu* here, because it occurs to me that we may be in a similar situation to the one we were in when we were considering the expansion of this Assembly to 21 members. We dithered around with that, in my opinion, for far too long. I believe that we have dithered around too long on the overall examination of standing orders.

Nevertheless, I accept that the majority of the Assembly will not be supporting this motion. I do not intend to force a division or waste the Assembly's time in that respect, but I do note that the Standing Committee on Administration and Procedure is prepared to look at these matters. I will be delighted to take that on notice myself, and no doubt I shall be making representations to you, Mr Speaker, to clear up some of the anomalies that I believe exist in our current standing orders.

Question resolved in the negative.

Community Services and Social Equity—Standing Committee Reference

MRS CROSS (11.14): Mr Speaker, I move:

That the Standing Committee on Community Services and Social Equity inquire into and report by the last sitting day in September 2002 on the operation of the *Dangerous Goods Act 1975* with particular reference to:

- (a) the sale of fireworks in the Territory;
- (b) the general safety of setting off fireworks; and
- (c) any other related matter.

Mr Speaker, I am seeking to refer this matter to the Standing Committee on Community Services and Social Equity rather than proposing legislation because the sale and use of fireworks is such a divisive issue within our community. I believe that an equitable approach needs to be determined. The users of fireworks are likely to be family groups wanting to celebrate festive occasions and I do not believe it is appropriate to punish the whole community because of the illegal activities of a few. I believe that we need to balance people's freedoms with community safety.

I believe that the banning of fireworks is generally favoured by those whose pets have been traumatised or who have experienced property destruction. Those who want fireworks to remain are the sellers and the users, and the users incorporate families, individuals, young people and older people.

The Liberal government tried to introduce measures to curb the likelihood of illegal activity, which did work to some degree as the sale to the public has fallen. Nonetheless, illegal sale still persists.

The ACT WorkCover report of August 2001 found, amongst other things, that the regulatory changes improved clarity about the regime for fireworks although the whole legislation needed modernisation. It also found that most industry members in the ACT did not willingly take on the new requirements and in fact a number actively resisted them; the reported injury rate for people trebled from last year; reported injury and deaths for animals continued at a similar level to last year, which is still unacceptable; complaints also doubled from last year; reports about injuries and property damage appear related to the use of illegal fireworks, like "bungers"—modern bungers are simply small bombs that can main and kill; illegal sales appear to be continuing; and imports still exceed legal sales.

We have the WorkCover report but we need more information and discussion on the matter, especially given the divisiveness of this issue. Therefore, I prefer to refer this to a standing committee for further consultation and examination. We need to be wary of hasty government action which can too often be heavy handed and riddled with unforeseen consequences. I am mindful that this is a very emotional issue in our community. As I said, it is a divisive issue and I would appreciate my motion being carried.

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MS TUCKER (11.17): The Greens are happy to support this motion. I think Mrs Cross has put up a sensible proposal. There has been confusion and controversy around the use of fireworks in the ACT for some time. I am quite prepared to say that I am confused about what needs to happen. I know that there are real issues about the use of fireworks. I have tabled in this place many petitions from the RSPCA and animal rights groups who are very upset about the impact on animals of the use of fireworks. I have also handled throughout the year a lot of complaints from members of the community about vandalism, the noise impact and so on. So there are obviously impacts on community.

I have also listened to people who are in the business and there seems to be a lot of confusion about how well the legislative framework and regulations are working. So basically I think referring this matter to a committee is a great idea. The committee will, on behalf of the Assembly, be able to have a good look at all the issues. Hopefully that will clarify things for people and we can make a decision that has been informed by that work.

MR CORBELL (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations) (11.18): Mr Speaker, the government welcomes the motion from Mrs Cross to inquire into matters associated with the sale and use of fireworks in the ACT. I understand that over the course of the last three years there have been significant changes in the regulations for the sale and use of fireworks in the territory. The government believes that it is appropriate to take stock of the impact and effectiveness of these changes and I would hope that the inquiry is able to encompass that in its investigation.

Mr Speaker, I note, as an example, that, for the last two years since the introduction of permits to purchase and use fireworks during the Queen's Birthday long weekend, fewer than 1,600 permits have been issued each year. The advice I have received from the Commissioner for Occupational Health and Safety is that she has provided three reports to the former government on the conduct of the fireworks season. These reports were also made publicly available. Despite increasing regulatory control and enforcement action, I understand that there are still issues about the behaviour of the industry in the ACT.

The commissioner has also informed me that every weekend ACT WorkCover responds to complaints about the illegal use of fireworks and that ACT WorkCover has hundreds of complaints about the illegal sale and use of fireworks on its records.

In addition, interstate residents and/or other regulators frequently contact ACT WorkCover to complain about fireworks sourced from the ACT. More recently, a number of schools have complained that students have obtained fireworks by mail order, mobile phone and internet sales from ACT retailers. Also, Mr Speaker, I am informed that this week, as we debate this issue, the Chief Inspector of Dangerous Goods has given evidence in the court on matters relating to the sale of fireworks.

I would like to remind members that fireworks are explosives and if not properly used with appropriate safety measures in place, have the potential to cause serious injury to people and animals. When used maliciously, they have the ability, like any other explosive, to destroy property.

I note that as recently as last month the South Australian government enacted new regulations to ban the sale of fireworks to members of the general public. The decision by the South Australian government brings them into line with Western Australia, Victoria and Queensland in completely banning the sale of fireworks to members of the public. The ACT and the Northern Territory allow for limited sales to and use by the public at specified times of the year—the Queen’s Birthday long weekend here in Canberra and Territory Day in the Northern Territory.

Mr Speaker, only New South Wales and Tasmania have regulatory frameworks that allow for the use of fireworks by the public all year round. Concerns about the control of fireworks and their importation have also led the Workplace Relations Ministers Council to request that the customs minister reintroduce import controls on fireworks.

As I have stated already, the government is supportive of this motion and believes that it is now an appropriate time to review and assess the impact of this industry on the ACT community. Right across Australia there is clearly a move away from the unrestricted use of fireworks by members of the public. The trend to only allowing properly trained and skilled pyrotechnicians to use fireworks is now well established in our country.

It is appropriate that the ACT community has an opportunity to participate in the debate on how the government should go about deciding the balance between the personal enjoyment, mentioned by Mrs Cross, that quite a number of people in our community derive from the use of fireworks, with the risk associated with the sale and use of explosives to persons not properly trained in their use.

Mr Speaker, I have circulated an amendment in my name that changes the reporting date for this inquiry. The government thinks it would be appropriate that a six-month period be set aside for this inquiry and that the committee therefore report by 27 June next year, allowing the government ample time to respond to the report prior to the 2003 fireworks season.

Mr Speaker, I look forward to the opportunity to participate in this committee’s deliberations. I move:

Omit “report by the last sitting day in September 2001” and substitute “report by 27 June 2002”.

MR SPEAKER: At this point I would draw to the attention of the Assembly and members that standing order 217 reads as follows:

The Assembly may appoint select committees but the terms of reference of such committees shall not include matters within the responsibility of any standing committee.

I am informed that the terms of reference include matters within the responsibility of another standing committee. Someone may wish to adjourn this debate while a suitable amendment is drawn up to accommodate that difficulty.

Debate (on motion by **Mr Hargreaves**) adjourned to a later hour.

Reference

MR STEFANIAK (11.25): I move:

That—

(1) The following matter be referred to the Standing Committee on Community Services and Social Equity for inquiry and report by the last sitting day in May 2002:

- (a) accommodation and support services for homeless men and their accompanying children including the recent evaluation of the ACT's Men's Accommodation and Crisis Service; and
- (b) any other related matter.

(2) No further action be taken by Government on the current tender for the accommodation and support service for homeless men and their accompanying children until the committee has reported to the Assembly and the Government has presented its government response to the committee report.

This motion relates to the referral to the Standing Committee on Community Services and Social Equity of matters relating to the accommodation and support services for homeless men and their accompanying children.

Mr Speaker, in 1999 a crisis shelter was established specifically for men, with their children, fleeing trauma, marriage break-up, domestic violence and so on. It was the first of its kind in the ACT and it attracted a lot of interest Australia-wide. The service was to be evaluated, and indeed that process commenced, I believe, in 2000. I recall being the responsible minister at the time. I ceased, indeed, to have any carriage of the matter from December 2000.

As someone who has visited the service and received a fair bit of feedback from various people, including members of the police force who have had cause to refer people there, and some other agencies, it would seem to me, and indeed I think to other members who have been to the service, that it is well run and has certainly established a real niche in an area where there was unmet need. In fact, Mr Speaker, I think there is quite a lot of unmet need, which I will come to and which forms part of the motion I have before the Assembly.

I recall that whilst I was minister there were some problems in terms of the evaluation of how it was going, and some concerns were raised by the people running MAACS, the Men's Accommodation and Crisis Service. These were taken up with the department and, indeed, from my recollection of that, a lot of things were solved. I am also aware, Mr Speaker, that there have been some changes in personnel within the department since that time.

There was an initial evaluation report, which made some comments but which indicated some vague little things in relation to the service. I can recall from my time as minister that some issues were taken up and some things were resolved.

Since then, there has been a final evaluation report, and there are some very big differences. I have a number of concerns in relation to this. Firstly, the group running MAACS have consistently had problems with the way some of the evaluation was done. I have had a chance to look at the evaluation. Whilst not having, of course, personal knowledge of many of the matters, I can say, from my experience of this matter as a minister—I think I was the minister when it started—and also from my experience as someone who has done a fair bit of work in terms of being a defence counsel and also a public prosecutor, that I do have some concerns.

I have significant concerns about an evaluation report prepared on MAACS, and I have a copy of that report with me. Mr Speaker, I will refer to some issues, and I am mindful of the time. I have made a quick perusal of the final report and I would like to summarise my basic concerns. That report makes a recommendation—recommendation No 5 I think it is—that MAACS should suspend its accommodation facility for children until “it has the following recommendations in place”. The service was set up specifically for men and their accompanying children.

The report goes on to say, at page 17, that whilst there are some 32 SAAP agencies funded under SAAP in the ACT, 31 per cent of which are for crisis accommodation, none target homeless men and their children. That to me is of some concern. It is somewhat contradictory that the report recommends that they do not take any more children, yet it then states that there is nowhere else for those children to go.

I have a further concern that only two pages of the full report, which is some 67 or so pages, deal with client feedback. My concern there, Mr Speaker—and, remember, I have only had a very quick perusal of the report—is that the comments by the people they interviewed, the people who exited the service, are to a person very complimentary of the service, very complimentary of its professionalism, and very complimentary of the support, the care, the compassion that the MAACS people showed them. That is mentioned on only two pages. The final evaluation comment on that is that, in general, the tone of the client feedback is positive, and then there is a negative comment.

That started a few alarm bells ringing for me. I must say that I have never met the people who carried out the evaluation, but I suppose that from my training as a lawyer and having been a minister in this place for some considerable time and having looked at a lot of reports, there were some things which just did not seem to be quite right. So, I must say, having had a quick look at that report, I do have some concerns.

The report has led directly to a tender process and the tenders closed last Friday. I think this is an ideal time for the Assembly to make an evaluation, with minimal dislocation to anybody who has put in a tender, and I will speak a bit more about this later. In my view some of the things in the tender document are perhaps not necessarily relevant to the way the service has been run, and run most effectively, and might well change the very nature of the service.

I have some comments to make, Mr Speaker, in relation to the detailed criticisms made by MAACS itself. They go into some client testimonies, and I think I should probably deal with those last. But what concerns me in their 43-page document is a point by point rebuttal of a number of allegations and suggestions made in the evaluation, especially where the evaluation says things did not occur and they say they did.

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None of us were there when these things occurred, and I simply cannot comment on the veracity one way or the other. But I think, given that the department has now gone down the path of a tender process, some alarm bells are ringing and I really think this needs to be, in all fairness, evaluated by an independent body, and I think our committee is probably the ideal way to do that.

I will highlight fairly briefly the problems with the evaluation, and the examples of inaccuracy, as seen by the MAACS people. Firstly, they state, and they are referring to the final evaluation report:

The statement about counselling being “contracted out” by MAACS is not correct. There was no “contracting” of this kind.

Secondly, they state:

The evaluator states that “... indigenous backgrounds were not reported in periodic reports by MAACS.

They comment:

Indigenous status was in fact identified by MAACS in every case.

Thirdly, commenting on a lack of client data being provided to the department by MAACS, MAACS state:

Very full data has been supplied on nearly all the clients who have passed through MAACS over the last 18 months or so.

On page 19—I won’t read this out; I will table it and members can look at it if they wish—they detail what they did in terms of six monthly reports, stating the number of accommodation events, the total number of forms sent to the department, forms not sent and why.

The evaluation report states:

Firstly, due to missing data in some categories, particularly for the periods January to May 2000 and from January 2001 to date, it is not possible to develop a full time series profile.

The MAACS people state:

The “missing” data are not in fact missing.

Contrary to the claim by the evaluator, for “January to May 2000” (which should read “January to June 2000”) the number of fathers with children was reported. The number reported was ...

And they go on to give a number. They have some further documentation.

I was going to read out, and I note the time, about nine examples. I think that may be over the top. I will skip over to example number seven. The evaluator states that “several (4) of the agencies consulted for the formative evaluation were again contacted during February and March 2001 for follow up interviews”. The MAACS people state:

This claim was not supported by the key informants involved in the formative evaluation (4) that we contacted. Three of these informants said that they had not been contacted by the evaluator since the early stages of the evaluation (i.e., early 2000), and one of these informants said that they had not heard of the evaluators. The fourth informant said that they had no recollection of such a contact.

The final example that I will give—and, again, there are many—is that it was also stated in the evaluation that “Apart from the support worker’s attendance at a seminar on child protection in October 2000, no other staff have attended any training relevant to working with children”. The MAACS people stated:

However, in fact, the range of training and development opportunities assessed by staff and the Chairman included the following:

They list a suicide prevention course, St John’s Ambulance qualifications, a domestic violence seminar, a child protection seminar, applied suicide intervention skills at Calvary Hospital, Men’s Network and Homeless Men’s Association meetings, and a number of others. In fact, they conclude:

This is nine times as many course attendances as indicated by the evaluator.

As I said, Mr Speaker, I really cannot comment one way or the other on the veracity of that, except to say, on reading the evaluation I certainly have some difficulties with it. I think where you have very conflicting views, it is right and proper that they be properly assessed, and properly assessed by an Assembly committee.

Some of the client testimonies—and I don’t think anyone really disputes these—are terribly positive. For example, one client states:

Without a shadow of a doubt, I believe that I am in a position to say that the kind of services offered by your organisation are the most appropriate for the needs of men dealing with marriage breakdowns, particularly, and most importantly, for cases where children are involved.

Other comments included:

MAACS is a wonderful concept.

The staff are fantastic; kind, helpful, courteous, pleasant, empathetic ... perfect in this situation. Their patience and tolerance is exceptional.

I will never forget MAACS and staff, an absolute blessing in my life.

Hi there. J and I arrived safely up in Brisbane and have settle into the house here ... J started at his new school yesterday and already has made some friends. We both thank you for what you have done for us.

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Another comment:

In my opinion, there has been an excellent delivery of high quality service in all areas, i.e., personal comfort, accommodation, counselling, etc. There is a total team effort to coordinate all levels of support, and it becomes evident that the staff constantly seek to improve the quality and delivery of the service.

Another comment:

All the support and help was great. It has provided me with a useful stepping stone towards my future, and it has given me good access to services (i.e., housing, Centrelink, etc.) No improvement necessary.

A final comment from this series:

Like a family. All okay perfect.

You have a situation where there have been good comments like the ones that I have just quoted. Even the evaluation states that the people who provide the service received very favourable comments. There were some concerns which were largely negated by the service itself. I suppose, given the nature of services such as this, there is to an extent perhaps tension between the people running MAACS and some of the people in the women's services, and I think that is something that is unfortunate. I think it would be very sensible if the committee were in fact to assess this.

One thing that has come out of both my reading of the evaluation and talking to the people at MAACS is that this is an area of unmet need and there is certainly room for maybe one or two more services that accommodate the needs of men, and especially men with children. I would think that part of the committee's deliberations would be to look at whether a similar or same service elsewhere in Canberra could be established.

Tenders closed last week. I would not attempt to pre-judge what the committee would do, but at the end of the day it may well be that the service provided by MAACS is something that should well stay. On all the evidence that has been given to me and from my own observations—and I think several other members here who have looked at this matter would probably concur—there is a strong case for that service to continue. There may well be a very strong case too for the tender to ultimately be extended to include another service because there is a need for additional services of this type. So indeed everyone may well be able to end up a winner as a result of the committee's deliberations.

Finally, Mr Speaker, the concerns that I have in respect of the evaluation are further highlighted by the comments by MAACS which deal step by step with what the evaluation actually says. Certainly I am concerned about the differences in respect of whether things happened or not. I think this should be properly looked at by a committee.

I will conclude by quoting from a letter written by a young girl called Emily. Mr Corbell probably has a copy of this letter, as I think Mr Stanhope does. The letter reads:

Hi my name is Emily. I am 11 years old. Jim, Barry and Lui the staff are very nice to me and my family. In my family is Leon (my dad), Tyler (my uncle) and my brother and me. This house is excellent. Why should this house be shut down.

Mr Speaker, I think this is a matter that quite clearly should go to the committee. The committee is probably ideally situated to investigate it. I think when you have some of the conflicting claims and facts on matters that I have put before the Assembly, justice and indeed proper process would be best served by a committee looking at this. I think it would be wrong in all the circumstances to proceed now to a tender, given the problems that have been raised and the great differences in terms of fact. I think that would be the most appropriate course to take. I commend the motion to the Assembly.

It being 45 minutes after the commencement of Assembly business, the debate was interrupted in accordance with standing order 77.

Ordered that the time allotted to Assembly business be extended by 30 minutes.

MR STEFANIAK: Mr Speaker, I referred to comments on the evaluation by the MAACS people and said I would make that available. I seek leave to table this document as well as some support letters, including the one I read out, which have been sent to Mr Corbell.

Leave granted.

MR STEFANIAK: I present the following papers:

Men's' accommodation and crisis service (MAACS)—copies of—

Comments of the MAACS evaluation (43 pages)

Email from L Brown to the Minister for Education, Youth and Family Services, dated 26 November 2001

Letters from:

Emily (undated)

Nita Shaw to the Chief Minister, dated 18 November 2001

Matthew L Richards to the Chief Minister, dated 16 November 2001 and

Philip Lynch, to the Chief Minister, dated 1 December 2001.

MR CORBELL (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations) (11.41): Mr Speaker, I need to make very clear at the outset that a service for men, homeless men and their accompanying children, will remain in the ACT. There will be a service provided. Whether or not it is provided by the Lone Fathers Association is another matter, and that is what a tender process is about. The bottom line here is that this government is committed to ensuring that there is a service provided to address the needs of men in that particular situation.

What I find extraordinary, Mr Speaker, is that Mr Stefaniak should, through this motion today, seek to stop the process of seeking tenders to operate a men's and children's crisis accommodation service; that he should move this motion, calling on the Assembly to halt a process which is correct and which is required by law. His motion seeks to intervene in a proper tender process that is being undertaken to ascertain the best possible way to provide this service—a men's and children's crisis accommodation

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service. The tender of the Men's Accommodation and Crisis Service will enable applications for the provision of this service to be considered through an open and fair process and ensure that the most effective and appropriate provider is engaged.

I have to ask the question, Mr Speaker: what lessons has the Liberal Party learnt from the requirement to tender and from their failure to properly undertake tenders by a fair and transparent process when they were in government? Surely issues such as the management, or should I say mismanagement, of Bruce Stadium highlight the fact that ignoring due process causes problems and does not protect the public interest. Due process with proper checks and balances and an accountability mechanism is the best possible way to ensure that as a government and as a community we get the best possible result for taxpayers' funds.

I would like to draw members' attention to the ACT purchasing policy principles and guidelines developed by the previous government following the Sherman report into the findings of the coroner's report on the death of Katie Bender in the Canberra Hospital implosion. I will quote from the coroner's report, which is pertinent to this issue. The coroner said in relation to that inquiry:

Ministers and Members of the ACT Legislative Assembly are involved on a daily basis with public representations by sectional and individual interests. This can involve commercial interests in presenting credentials, or marketing the skills of their organisation to ministers and members. Any Ministerial involvement—

“any”, I stress—

in the tender process may create a risk or perception that could undermine public confidence in the probity of the tender process.

The coroner concluded:

Accordingly, Ministers and Members of the Legislative Assembly, or their staff, should not be involved at all in the tender process or in determining the outcome.

What Mr Stefaniak is proposing today in his motion is a deliberate move by this Assembly to intervene in the tender process, and that is not, in this government's view, appropriate.

Mr Speaker, unfortunately the history of the men's and children's crisis service is, in some respects, another example of failure to follow an appropriate process. The first public hearing of the idea for a service from the government was in the form of a media release from Mr Stefaniak when he was minister for housing. At that time, Ms Tucker questioned Mr Stefaniak during question time in the Assembly about the process around the proposed funding to the Lone Fathers Association to operate the men's crisis service. Ms Tucker noted in the Assembly at the time that there had been no prior evaluation of need or model, and no tender process.

Mr Speaker, the government subsequently decided to provide funding for this service to the Lone Fathers Association, without any transparent decision-making process. The service was funded under a cloud of inappropriate process and we believe it is appropriate, as the new government, to set in train a process that is transparent. As

a result, four tenders have been received for the provision of a men's accommodation and crisis service and the tender evaluation panel met on Monday the 10th, that is last Monday, to consider tenders.

I look forward to the outcome of this process so that this valuable service can continue. I acknowledge as minister that there is a need for a service that accommodates homeless men and their children. But I believe that that service, which is being funded by the territory, should be provided through an appropriate tender process. Indeed, the tender of the Men's Accommodation and Crisis Service complies with legislation introduced by the previous government. The Government Procurement Act of May 2001 obliges all territory agencies to undertake an open competitive process for all procurements of goods or services of more than \$50,000, unless an exemption is granted by the relevant chief executive. The cost of this service exceeds the \$50,000 threshold.

The Men's Accommodation and Crisis Service has been operated by the Lone Fathers Association since it was established as a pilot service in 1999. It was funded on the basis of a proposal by the Lone Fathers Association to the previous government which highlighted the gap in crisis accommodation services for men with children. As I indicated earlier, no open or competitive purchasing process was undertaken at that time to select the most appropriate provider of the service. The tender process the new government has undertaken will enable applications for the provision of this service to be considered through an open and fair process, to ensure that the most effective and appropriate provider is engaged.

I am concerned that Mr Stefaniak is seeking to circumvent this process, a process that is effectively required under legislation that his government introduced. That concerns me and it is why the government is determined to ensure that the tender is undertaken in a transparent way, and that the service and the government funds provided to it are seen to be delivered in a transparent way.

Mr Speaker, I want to stress that I am not saying that the Lone Fathers Association is not the best provider. They may well be. The appropriate thing is to test the capacity of all organisations interested in providing this service through an open, competitive and transparent tender process, and that is the action the government has embarked upon.

Mr Speaker, in light of my comments I have circulated an amendment to members which amends Mr Stefaniak's motion by deleting reference in the first part of his motion to the recent evaluation of the ACT Men's Accommodation and Crisis Service and by deleting all of paragraph 2 from his motion because that paragraph relates to the requirement to halt the tender process.

This amendment would allow an inquiry to take place. We think it is appropriate that an inquiry does take place into men's accommodation services in the ACT. We welcome the opportunity for that to be looked at, and think it is appropriate that it be looked at. But it is not appropriate to address issues that are currently subject to the process of a tender. Mr Speaker, I seek leave to move the amendment circulated in my name.

Leave granted.

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MR CORBELL: I move:

- (1) Omit from paragraph (1) (a) “including the recent evaluation of the ACT’s Men’s Accommodation and Crisis Service”; and
- (2) Delete paragraph (2)

MS TUCKER (11.51): Mr Speaker, the Greens will be supporting the amendment moved by Mr Corbell to Mr Stefaniak’s motion. I think the question here is not particularly about the adequacy of the current or past service provision. This is a question of tender processes. So I am not even going to go into questions about the evaluation. I do not think it is appropriate to do that because we are clearly not in a position to be making judgments on that.

However, what we are in a position to do is make comment on what Mr Stefaniak is suggesting in terms of process through this motion, and that is, as Mr Corbell said, to basically ignore procurement legislation which his government brought into this place and to bring into question the integrity of the tender panel who have responsibility for running the tender process. I think that is rather inappropriate. If Mr Stefaniak wants to say that he is of the view that the tender panel will not be professional and clear in determining who is the best organisation to take on this important service, then he should do so. If that is what he wants to say then it is a serious statement and a substantive allegation. I don’t know if he realises that that is what he is saying, but it clearly is.

The tender panel has a number of people on it who I am sure, unless Mr Stefaniak has evidence to the contrary, are doing a very professional job. The panel includes a person from the Domestic Violence Prevention Council, which is, as members know, an independent body. He is also from the ANU and is a lawyer. There is a Commonwealth bureaucrat who, as I understand it, has experience of over 10 years of tender evaluation and has experience with SAAP services. There is also a senior policy officer from Justice and Community Safety. These people are charged with the responsibility of determining, through the tender process, who will best provide a service to the community using public funds.

This is the process that Mr Stefaniak’s government put into place. It is, as members are well aware, a process I have raised questions about in terms of the overall philosophy. I have said in this place many times that when Hilmer introduced competition policy he did not recommend it be used for human services. But that is a broader philosophical debate. The point is that what we have here is a legislative framework which requires certain processes. Those processes are now occurring and if Mr Stefaniak wants to cut them short because of a particular complaint from a particular service provider then I think that is not good process at all.

I wonder if Mr Stefaniak had thought about the precedent that would be created if we supported his motion. I am sure he is aware that there is a review of the SAAP services at the moment, and a number of them may well be going out to tender. What we would be doing today if we supported the motion is saying to anybody in the community service sector, “If you don’t like what comes out of this review in terms of what happens to your service, you go and get a committee inquiry in the Legislative Assembly.” This would make meaningless the whole procurement legislation and guidelines which, as Mr Corbell and I have said, Mr Stefaniak’s government introduced.

So I think it is very important that this motion not be supported. The amended motion, however, would be fine. I am always interested in seeing an assessment of need in our society for whatever social services the Assembly is interested in. I am supportive also of the need for accommodation for men, and men with children, and this tender is obviously about men with children. It is an accommodation and support service for homeless men and their accompanying children. We know that need is there.

A committee may well do some very useful work in looking generally at the issue of men and accommodation. I know that in my time here I have certainly seen an unmet need in that area. A lot of homeless people in this city are men and they often also have mental health problems. We know there are some major problems in respect of emergency accommodation for particular groups of men and women. There are also major problems in respect of people who need long-term housing and who are very vulnerable for various reasons. So I would welcome an inquiry into this issue. However, as I said, I will not be supporting Mr Stefaniak's motion.

MS DUNDAS (11.57): There has been a lot of discussion about the areas of unmet need. This afternoon we will be discussing the hospital. Yesterday I raised the issue of youth emergency housing. We have established in this Assembly a select committee on the status of women to look at unmet need in that area.

This Assembly is tasked with dealing with the hard questions of prioritising and values. Crisis, emergency and public accommodation is severely lacking in the ACT, and I am not going to dispute that support services for homelessness and those in crisis need to be inquired into. However, I think the issue that we are looking at today in terms of homeless men and their children is broader than this current tender process. I thank Mr Stefaniak for bringing this matter to our attention, but I will be supporting Mr Corbell's amendment and the motion as amended.

MR CORNWELL (11.58): Mr Speaker, this is not an amendment—it is a gutting of the motion. If we take out the question of evaluation, we will be left with the committee inquiring into accommodation and support services for homeless men and their accompanying children, full stop. Just in case part (1) (b) of the motion, “any other related matter”, might stray into other matters such as evaluation, then we are taking that out as well. We will have gutted, filleted, the entire motion.

It is very interesting that we have also had a smoke screen put up by Mr Corbell, supported by Ms Tucker and, to a degree, Ms Dundas, that would do honour to the cigar room in the Hyatt Hotel. What we are talking about here is not the tender—we are talking about the evaluation of the ACT Men's Accommodation and Crisis Service.

Anybody who has read some of the documents will find that they raise serious questions about how effective and thorough the evaluation was, and whether in fact some of it may have been wrong. I accept that everybody can make mistakes in evaluation. Mr Stefaniak's motion is concerned with examining these very points. It is not about a tender process; it is to examine the evaluation of the ACT Men's Accommodation and Crisis Service.

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I welcome Mr Corbell's statement that there will be accommodation for homeless men and their children here in the ACT. But I wonder who is going to provide this service if it is not the Lone Fathers Association, who have a reputation and are certainly well known for their involvement in this area. Perhaps Mr Corbell could elaborate a little on what really is proposed in relation to this. I am not convinced that this whole exercise put forward by Mr Corbell as an amendment is not designed to remove the Lone Fathers Association from this area, to remove the expertise that they have developed over time and to hand it over to some other organisation which may not be as knowledgeable or, dare I say it, perhaps even as sympathetic to some of the very genuine problems that exist here in the ACT.

Ms Tucker mentioned that she has seen problems associated with men and with their children. I think it is important to recognise that the question of domestic violence is not confined to women and therefore we have to recognise that facilities are needed in the community for both sides. Ms Tucker quite rightly agrees—there is no argument there.

However, it is important that the people who provide this accommodation and the back-up for those who are suffering as a result of domestic violence should at least have experience in respect of their needs. I would not like to think, Mr Corbell, that the question of the needs of the sufferers of male domestic violence and homelessness—fathers, if you like, and their children—and the administration of those needs would not be taken into account to the same extent as the needs of women in women's refuges.

I think it is very important that we recognise that there are some differences. I have noted that there have been some concerns expressed in the documents about female children in men's refuges. I discount this on the basis that you could express the same concern about male children in female refuges. I think we have to be even-handed on this whole matter.

I welcome your statement, Mr Corbell, that there will be homeless men and children's accommodation but I dispute your arguments against the tender process in relation to Mr Stefaniak's motion. We are looking at the evaluation of the report of the ACT Men's Accommodation and Crisis Service. I believe it is an evaluation that should take place by an independent body and I see no reason why a committee of this Assembly should not be that body.

MR CORBELL (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations) (12.04): Mr Speaker, I will speak again briefly. I have to first of all make the point to members participating in this debate that the evaluation of the current provider was done by an independent person, by an independent agency. It was done by an independent consultant, who was selected through an open tender process.

So what is the criticism? Is the criticism about the professionalism or capacity of those officers to do that work? If it is, you need to substantiate that claim. But you cannot suggest that an Assembly committee inquiry is the same as a professional independent assessment by a consultant engaged through a public tender process. You just cannot do it and I think it is quite inappropriate for you to try to do so.

Mr Speaker, there is no hidden agenda. There is no desire, as Mr Cornwell suggests, to close out a particular organisation. What there is a desire for is to make sure that there is a fair and transparent process in the allocation of a significant amount of taxpayers' money. It is the same requirement that any other member would expect in this place for any other project where we are spending more than \$50,000. It is a significant amount of money. I think if this government came to this place and said we are not going to proceed with a public tender process for an amount of more than \$50,000, we would be asked questions about that.

There are public interest issues associated with going to a single select process or going to a direct allocation without a tender process. I accept there may be circumstances where you do not go to a tender process. But I do not believe in this case that this is one of them. A pilot scheme has been undertaken by the Lone Fathers Association. It was evaluated and a decision was taken to proceed to a tender on the most appropriate provider.

Mr Cornwell raised the question, "What is going to be provided here?" What is going to be provided is what is set out in the tender documents, which are publicly available. Anyone can get a copy of those tender documents and they outline what the service is that the territory is asking be provided and what the criteria are for the assessment of tenders. It is a very transparent process; it is a very fair process.

The government believes there is a need to provide this level of service, this type of service. The efforts of the Lone Fathers Association in putting up the proposal initially and highlighting the need are to be commended. But as with any other service, it is appropriate to test a new service through a tender process, and that is what this government intends to do. There is no hidden agenda but there is a desire for a fair and transparent process.

MR STEFANIAK (12.08): Mr Corbell has just come into the job and I am sure that he certainly and his government have no hidden agenda. I appreciate that. What we are talking about here is not changing a tender process. We are talking, in fact, about enhancing the process—enhancing and ensuring there is fair and transparent treatment.

Mr Corbell, as you are probably well aware, this service came about as a result of a direct promise that we made in 1998. We stipulated who would get it then on the basis that that was a group with expertise, and I do not think there were any other groups who would provide that type of service. You now tell me that through a tender process you have four groups interested. That is very pleasing, Mr Corbell, in that now, some 3½ to four years down the track, we have some more people in the ball park, and there is indeed a lot of unmet need here.

Tender processes have to be fair, they have to be transparent, and indeed what goes on before has to be fair and transparent. I am not in a position to comment whether anyone has got hidden agendas here or not. I simply do not know. I am not going to make any comments in relation to the tender process. I don't know the people on it, save for one who I think will be the chair. As a bureaucrat she has worked very well with me for a number of years in a number of capacities and I have utmost confidence in her.

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I cannot comment on anyone else because I simply do not know them or I do not know who will be sitting on the panel. At any rate I think it would inappropriate for me to comment.

What I am suggesting is that you do not do anything different to what we did. I am happy to hear, Mr Corbell, that you are now thinking of tendering out other services as well. I understand that this is the first time there has been a tender in respect of a crisis accommodation service. I think other services have not been subject to tender and perhaps if every one is that is indeed a good thing, and that is certainly consistent with what the previous government was doing.

I think it is terribly important, Mr Speaker, that process is seen to be followed and is fair and transparent. To give perhaps a court analogy, evidence is often thrown out in court if there is seen to be some problem with it—especially the way it was obtained. If there is a problem with some of the police evidence—it might be prejudicial—that evidence can be rejected from a court case.

The situation here is not dissimilar. We had some problems with matters raised in relation to an evaluation—an evaluation that then suggested a tender, and indeed the first tender of its type. I think it is most appropriate that those allegations—and they are quite serious in terms of what happened and what did not happen—are properly investigated.

It being 30 minutes after the extension of Assembly business, the debate was interrupted.

Motion (by **Mr Hargreaves**) agreed to, with the concurrence of an absolute majority:

That so much of standing orders be suspended as would prevent Assembly Business being continued until 12.30 p.m.

MR STEFANIAK: Mr Speaker, as I said, this is about fairness and transparency. It is about some allegations which were raised and which, in fairness, have been consistently raised in relation to evaluation over a period of time. You now have the substantive document in terms of that. Those are things that I think should be properly looked at to determine in fact whether the tender should indeed continue. It may well be that it should. But it is proper, in the context of fairness and transparency, for those matters to be looked at. Our committees are not perfect but I think there is no other obvious option that is reasonable in the circumstances. Indeed, rather than stopping a tender process, this may well simply delay it.

I am not going to go over what I said earlier except to repeat that what I am proposing is very fair and accountable. However, I can count and I can see that Mr Corbell's amendment, which truncates a lot of what I am doing, is going to get up. I suppose the only solace I can take from that is that at least this committee will soon be getting a reference to look at the issue of men and children in crisis accommodation. This is an area of unmet need. It is an area which the Lone Fathers Association, who run MAACS, have addressed as the sole group in our territory to date. I think it is important that an Assembly committee at least look at that. I think it is a shame, though, that it will not be looking at the other points as well, as I think that would ensure fairness and transparency.

Amendment agreed to.

Motion, as amended, agreed to.

**Community Services and Social Equity—Standing Committee
Reference**

Debate resumed.

Amendment agreed to.

MR HARGREAVES (12.15): Mr Speaker, I seek leave to move the amendment circulated in my name and to speak to the amendment.

Leave granted.

MR HARGREAVES: I move:

Omit "Standing Committee on Community Services and Social Equity"
Substitute "Standing Committee on Legal Affairs"

Essentially this amendment seeks to refer the inquiry not to the Standing Committee on Community Services and Social Equity but to the Standing Committee on Legal Affairs. The reason for that, Mr Speaker, is that within the terms of reference of the Legal Affairs Standing Committee sit the responsibilities for examining community and individual rights, which this could easily come within; general community safety; industrial relations, which covers occupational health and safety; law and order, which is one of the big issues to do with fireworks in the ACT; consumer affairs, which is all about fairness in the marketplace for those people who are actually selling the items; and regulations and regulatory services, and, of course, that is where the power resides to continue or not to continue to allow the sale of fireworks.

However, the terms of reference of the Community Services and Social Equity Standing Committee relate to this matter only in general terms of municipal services. I take the point that within municipal services sits the WorkCover responsibilities. However, I think this is still a bit too general. The committee's responsibilities also cover youth services, but that could be regarded as kids safety. But I think in totality there is more specific application in the terms of reference of the Legal Affairs Committee, with its scrutiny of bills and subordinate legislation function, than there is with that of the Community Services and Social Equity Committee.

I want to also say that I regret having to move this amendment because I would dearly love to have chaired the inquiry myself.

MR HUMPHRIES (Leader of the Opposition) (12.18): Mr Speaker, the opposition will support the amendment. I do not think it a matter of great moment as to which committee conducts this inquiry. However, I do express some surprise at the view that the Community Services and Social Equity Committee does not have responsibility for the area of dangerous goods. The terms of reference of the committee include municipal services, which I assume is more or less a synonym for urban services in the ACT.

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Urban Services presently is a department which includes the Dangerous Goods Unit, as I understand it.

Mr Wood: That is in Simon's.

MR HUMPHRIES: It is in Simon's—not in Urban Services?

Mr Wood: No. It went over with WorkCover and those sorts of things.

MR HUMPHRIES: To which department?

Mr Corbell: Chief Minister's.

MR SPEAKER: Just chat amongst yourselves; it's okay.

MR HUMPHRIES: I was led to believe that it was Urban Services. It is with Chief Minister's, so I support the motion.

MRS CROSS (12.19): Mr Speaker, I would like to close this debate by thanking Ms Tucker and Mr Corbell for their support of this motion. As I stated in my opening remarks, this has been a very emotive issue in the ACT community. I am hoping that the approach that is taken is an equitable one and that the community as a whole is not punished because of the wrongdoings of a few.

I repeat that I would like to see a balance between people's freedoms and community safety, and I urge us to be careful. We need to be very wary of hasty government action which can often be heavy handed and riddled with unforeseen circumstances.

Amendment agreed to.

Motion, as amended, agreed to.

Sitting pattern

MR WOOD (Minister for Urban Services and Minister for the Arts) (12.20): I move:

That, unless the Speaker fixes an alternate day or hour of meeting on receipt of a request in writing from an absolute majority of Members, or the Assembly otherwise orders, the Assembly shall meet as follows for 2002:

February	19	20	21
March	5	6	7
April	9	10	11
May	7 14	8 15	9 16
June	4 25	5 26	6 27

August	20	21	22
September	17 24	18 25	19 26
November	12 19	13 20	14 21
December	10	11	12

This proposed sitting pattern was circulated a week ago. It has taken into account, as much as anybody can find, all the conflicting dates. So, with one amendment, it should be satisfactory to members.

Ms Tucker has pointed out today—I have not checked but I believe it to be the case—that two weeks have normally been allowed for discussion of estimates in the budget. The draft does not allow for that. It seems a sensible idea to continue that arrangement and the government is quite prepared to accept Ms Tucker’s amendment that has been circulated and that you should all have seen. So with that, I will leave the 2002 sitting pattern in the hands of members.

MS TUCKER (12.22): I move:

Omit “September 17, 18 and 19” and substitute “August 27, 28 and 29”.

Mr Cornwell: Could I ask why?

MS TUCKER: Mr Wood just explained why, but I am happy to repeat it. I have suggested that we omit the sittings of 17, 18 and 19 September and take it back to August because, as the motion stands, we would only have one week to deal with estimates and then pass the budget, and we normally allow a week for each.

Amendment agreed to.

Motion, as amended, agreed to.

Legal Affairs—Standing Committee Scrutiny Report No 1

MR STEFANIAK: I present the following report:

Legal Affairs—Standing Committee—Scrutiny Report No 1, dated 12 December 2001.

I ask for leave to make a statement.

Leave granted.

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MR STEFANIAK: It is a very short statement, Mr Speaker. Scrutiny Report No 1 contains the committee's comments on four bills. The four bills are indeed quite basic and a huge amount of comment is not needed. I would commend the report to the Assembly.

Might I say that the scrutiny of bills committee is looking to improve procedures whereby we can get our comments out on bills earlier than has been the case in the past. I think this will benefit members of the Assembly and that is something we are working on. However, as I said, because of the nature of these four bills there is not a huge amount of comment that can be made.

MR HARGREAVES: Mr Speaker, I seek leave to speak to the report.

Leave granted.

MR HARGREAVES: Mr Speaker, I concur with the comments from the committee chair. I would also like to advise the Assembly that the legal adviser to the committee will be Peter Bayne. He has provided that service to us for the last three years, eight months, and he has done an excellent job. I just wanted to indicate that for the record.

Sitting suspended from 12.25 to 2.30 pm.

Questions without notice

Poker machines

MR HUMPHRIES: My question is to the Treasurer, Mr Quinlan. On 27 November, WIN news reported that the Labor government would be looking at reversing new legislation to cease suspension periods of 24-hour poker machine facilities in ACT clubs. On the same news report a spokesman for Lifeline commented that the suspension of operating hours had already made "a big difference" and that the government should more carefully consider the consequences before it made any decisions. Can the minister explain to members why the government would want to reverse what seems to be an effective way of breaking the cycle of problem gambling for some people, or is the government more concerned that the Labor Party will lose vital economic support if the legislation is not changed? What is the path this government will go down to assist the more than 5,000 problem gamblers in the ACT?

MR QUINLAN: I gather that the Leader of the Opposition said that it was reported on WIN that the Labor government had said that it would cease the suspension—

Mr Humphries: Look at reversing the new legislation.

MR QUINLAN: I do not recall that being said. I am sure that, if someone asked us, we would look at it, as we would look at any question. That measure was put in place, with the best will in the world, to try to reduce the opportunities for problem gambling. I would like some evidence on that.

Mr Humphries: Lifeline has given you some.

MR QUINLAN: I have the word on that from Mr Humphries. I would like to think that whatever evidence comes forward is a bit more authoritative, not that Lifeline is not authoritative in its opinion, and that it is more statistically and factually based. At this point in time, let me assure you that it is not on our program to reverse that suspension of poker machine operations which parallels the suspension of the serving of alcohol in clubs.

MR HUMPHRIES: I have a supplementary question. If Mr Quinlan does not consider that Lifeline is a sufficient authority on this subject, would he care to discuss the matter with the New South Wales Labor government, which has announced that it is moving towards a six-hour shutdown of poker machine venues in that state?

MR QUINLAN: The answer is that we would be happy to. I will not be doing it this week; we have not actually got to that point. I have, in fact, had some briefings from the Gambling and Racing Commission and have discussed at some length how problem gambling will be redressed, whether we have the right balance between potential research and potential immediate action, and those discussions are still going on. There has been no resolution for change in the process at this stage. We are aware that problem gambling needs to be addressed, but we want to address it in a way that is effective.

Harking back to the three-hour suspension, we got in the last Assembly what I thought was a stream of somewhat tokenistic legislation. It was based on intuition as opposed to fact. I would like to think that what we do in relation to problem gambling is actually effective and has more go than show in it in the future, but that is down the track somewhat in terms of my discussions with the Gambling and Racing Commission, which has some firm opinions which we are talking through.

2000-2001 operating result

MR HARGREAVES: My question is to the Treasurer and it relates to the shadow treasurer, Mr Humphries. This morning on ABC radio, the shadow treasurer said that he was not advised of a probable end-of-year deficit in the ACT as a result of a downturn in the value of the territory's investments. Can the Treasurer please inform the house what advice he has received concerning the value of our investments?

MR QUINLAN: Thank you, Mr Hargreaves. That is an excellent question. Let me start by saying that, immediately this government was sworn in, it received briefings from Treasury. One of them included, under the heading of lower investment returns, the estimate that the negative impact on the 2001-2001 operating result would be a full \$63.4 million. What has surprised me is that the election was held on 20 October. The government gave us what I presume were its best estimates of the financial position, at least as late as 2 October, when there were some figures brought down.

I have to say, Mr Deputy Speaker, that I find it astounding that the Treasurer of the time did not know, or did not inquire, as to the possible impact on the bottom line of a possible reduction in the value of our income earnings from investments. It seems to me to be the most improbable of situations, particularly when Mr Humphries was at the time talking about buffers for the budget in terms of \$11 million, a reasonably precise number. Not \$10 million or \$20 million, but \$11 million was his idea of a buffer.

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The Treasurer of the time had informed us that he had costed the government's commitments, and that they had still left an \$11 million buffer—the absolute minimum. Of course, just coincidentally, it was the buffer that was left after his particular commitments were made, while he made quite unsupportable and exaggerated claims as to the commitments that the Labor Party had made.

In answer to the question, I can inform this house that, immediately on this government being sworn in, it was informed of a likely negative impact on the bottom line for the current financial year in excess of \$60 million.

MR HARGREAVES: Mr Deputy Speaker, in light of the discrepancy between Mr Humphries' statements, can the Treasurer advise the house of the veracity of Mr Humphries' claim on radio on 6 December this year that he made provision for the capital costs of a medical school?

MR QUINLAN: This is one of life's coincidences, I guess, Mr Deputy Speaker. More recently, in discussions on the funding of a medical school at the ANU, Mr Humphries is recorded as having stated that "there was money put aside by the former government for the capital costs of upgrading the ANU's facilities or hospital facilities to accommodate the needs of a medical school".

Mr Humphries: That was not what I said, actually. Is that a direct quote from me?

MR QUINLAN: It is a transcript.

Mr Humphries: Is it a direct quote from me or is it what I am supposed to have said?

MR QUINLAN: If your name is Humphries.

Mr Humphries: No, is it a direct quote from me? No.

MR QUINLAN: Curnow, "Was there money there for it?" Humphries, "There was money put aside," and so on. It was a quote. I have to say I heard it and discussed it with Mr Hargreaves, then he thought of the question.

During the last Assembly, I have to say that we in the Labor Party got used to little shocks, little pearls from Mr Humphries, that did not seem to accord with the facts as we knew them. I think, today, Mr Deputy Speaker, we have in front of us two specific examples where Mr Humphries has not provided information that is in any way accurate. I think it is a matter of concern that the said Mr Humphries is both Leader of the Opposition and shadow Treasurer.

Nurses strike

MR SMYTH: My question is for the Chief Minister as Attorney-General and Minister for Health. In the lead-up to the October election, the Industrial Relations Commission ordered the nurses union not to strike. This was in line with a ruling they had made in September banning wildcat strikes. The nurses at the Canberra Hospital subsequently went on strike on 19 October. Given your personal aversion to, and pursuit of, those who have broken the law, what action have you taken?

MR STANHOPE: Thank you, Mr Smyth, for the question. The action I have taken in relation to the nurses and the Canberra Hospital seeks to undo the tremendous damage the previous government did to nurses and to nursing as a profession and the incredibly destructive impact on morale and efficiency at the Canberra Hospital of the constant ideological attacks by the previous government on nurses and the ANF, particularly on nurses through the ANF, simply because the ANF is a union.

Everybody in this place remembers extremely well the at-times very personal, sometimes vicious attacks on the secretary of the ANF, members of the ANF and, by implication, all nurses. Every one of us in this place remembers that. I think there was a motion during the last Assembly calling on Mr Moore to apologise for some of the things he said, particularly about the secretary of the ANF.

What we have sought to do in relation to the Canberra Hospital, the ANF and nurses in general is to restore some credibility to governance and to the government in relation to negotiations with the ANF, to see whether or not in a genuine, honest and open way we can deal with the nursing work force so that we can resolve the ongoing dispute at the Canberra Hospital, settle the EBA and develop a climate of normalcy at the Canberra Hospital so that the health interests of the people of Canberra are once and for all paramount and put first. That is the underlying attitude of this government in relation to nurses and the continuing negotiations on the EBA.

There is nobody in Canberra who is not extremely distressed at what nurses at the Canberra Hospital in particular have been forced to suffer in recent times. Morale at the Canberra Hospital is shot. You should go—

Mr Humphries: Are you going to fix it?

MR STANHOPE: Yes, we are. We are working very hard at it, and we will achieve some very significant gains in relation to the nursing work force and morale at the hospital.

Mr Humphries: Are you going to fix the morale problem?

MR STANHOPE: We certainly are. One of the first things we have done—

Mr Smyth: I take a point of order. My question was in relation to the breach of the direction of the Industrial Relations Commission, which of course the Chief Minister skirts around. I wonder whether he would direct his answer to that specific point.

MR DEPUTY SPEAKER: Ministers, as you know, can answer questions as they see fit, but I would draw the Chief Minister's attention to the question.

MR STANHOPE: I will get to that point. I was working up to it. I thought it was important to provide some context to the attitude this government takes to the nursing work force. It is often overlooked, and was certainly overlooked by the previous government, that nurses constitute 70 per cent of the health work force in the ACT. Seventy per cent of all workers in health are nurses. That is how fundamental nurses are

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to a functioning, efficient and effective health service, particularly in relation to the delivery of public health services to the people of Canberra. We have not got it right.

The part of the health work force that is most aggrieved at the moment is the nurses. There are serious grievances amongst a range of other health professionals. We are suffering real problems in the employment and retention of health professionals across the field. This is not unique to the ACT. I acknowledge that. It is something that each of the jurisdictions around Australia is suffering and that each of our regions is suffering. But it is vital that we do not, in the way that I think was a feature of the previous government, continue to downplay the importance of nursing as a profession, continue to demean the work and value of nursing and nurses and continue to be aggressive and adversarial in our attitude to nurses.

In relation to the specific issue of the industrial action that was taken before the end of October, I think members are aware that the Canberra Hospital did approach the commission to determine whether or not there was a breach. The parties, having regard to the action the Canberra Hospital took, were scheduled to appear in the commission in early November. As a sign of good faith, and following discussions by me with both the ANF and the Canberra Hospital—

Mr Smyth: So you have interfered?

MR STANHOPE: I did not interfere at all. You will see that it is by consent. The parties agreed, as a sign of good faith, to get back to the table so they could continue negotiations to the fruitful settlement of an EBA. The parties—namely, the Canberra Hospital and the ANF—by consent, agreed to discontinue the action. That was their decision.

Mr Smyth: At your direction?

MR STANHOPE: It was not at my direction at all. It was a consent decision. I certainly facilitated the discussions, which is a vital role that governments and ministers should play. Ministers and governments are there to provide leadership to facilitate and to ensure that we do not have the situation that occurred and persisted over the last 14 months as you, through your intransigence, ideology and incompetence, continued to inflame the industrial issues at the Canberra Hospital, to a point where 14 months later we are still negotiating. But, thankfully, over the last four weeks enormous progress has been made. The parties have sat down and have consulted.

Mr Smyth: Calvary nurses have had this money for 12 months.

MR STANHOPE: Mr Smyth, I do not think you should be talking too much about money.

Mr Smyth: It is a good story.

MR STANHOPE: The better story around this place today, Mr Smyth, is why—

MR DEPUTY SPEAKER: Chief Minister, I do not really want a running commentary between Mr Smyth and you.

MR STANHOPE: Absolutely. But, as you know, the best story in this place today is the flagrant great waste of money we have all experienced in relation to Mr Smyth's determination to have a room with a view.

MR SMYTH: I ask a supplementary question. Chief Minister, why are you going to allow all of your union mates who helped you out in the election the opportunity to break the law and go unpunished? What is the message you wish to send to the public—that it is okay to break the law because this government will go easy on those who do not abide by it?

MR STANHOPE: I often wonder. I have a lot of union mates. This is a derogatory term, is it? "Union mates" is a value-laden term, is it? I am a unionist. In fact, all my friends and colleagues here are unionists. We are all union mates.

Mr Humphries: You have to be to belong to the Labor Party.

MR STANHOPE: We choose to be, because we know the value of collective action. This goes to the very point I make. This was a value-laden belt at the ANF. "Union mates" is a pejorative term. This is bashing nurses. What pleasure does the shadow minister for health get in bashing nurses? Why do you persist in bashing nurses in this way?

Mr Smyth: I take a point of order. The question was about the Chief Minister interfering in the industrial relations process and allowing those who have broken the law to get away with it. Will he stick to the question?

MR DEPUTY SPEAKER: There is no point of order.

MR STANHOPE: I conclude by saying that I have not interfered at all. As Chief Minister and Minister for Health, I have done what the previous government failed to do. I have shown some leadership in relation to the need for us to settle the incredibly debilitating industrial situation we find ourselves in at the Canberra Hospital. It is in nobody's interests for us to have the Canberra Hospital in constant turmoil as a result of this government's attitude to nurses and to unions.

MR DEPUTY SPEAKER: Order! Before I call Mrs Cross, I wish to inform members of the presence in the gallery of Mrs Burke, a previous member of the Assembly. Welcome.

Year 10 students

MRS CROSS: My question is directed to the minister for education, Mr Corbell. On ABC radio this morning it was reported that 97.5 per cent of year 10 ACT government school students achieved or bettered the competencies set out for information and communication technology. Could you advise members of the importance of this Liberal initiative and any feedback you have had from teachers, parents or students from the testing program?

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MR CORBELL: It is a tremendous outcome for the students involved in that program. It is the sort of program that I believe we should show bipartisan support for. It is not a matter of point scoring. I do not seek to point score on it, but I do seek to outline and emphasise the achievements of the year 10 students. Those students have a very strong level of competency in information technology, and we should all be very proud of their efforts.

This highlights the importance of continuing to invest in information technology in our schools to ensure that students are able to get access to the sort of information technology infrastructure they need. That is why this government is investing an additional \$3 million in the government and Catholic school systems to address needs in information technology—\$3 million that the Liberal Party would have spent on free school buses.

MRS CROSS: Mr Deputy Speaker, I have a supplementary question. Mr Corbell, I just want to confirm what you just said and make sure that I understood correctly. Are you saying you are going to continue with ICT testing in government schools, recognising the growing need for our students to be information technology literate?

MR CORBELL: Yes.

Road safety

MS GALLAGHER: My question, which concerns road safety, is to the Minister for Urban Services. The last couple of days in the ACT has seen some horrific accidents on our roads. As well as the three tragic deaths, others have been injured. I would like to send my sincere sympathy to the families and friends of those affected by these accidents. Minister, what is this government doing to improve road safety in the ACT over the Christmas-January holiday period?

MR WOOD: Like Ms Gallagher, I extend my sympathy to the families and friends of those involved in those latest accidents. They are always times of great sadness. Indeed, tonight in the adjournment debate, one of those deaths will be mentioned.

Mr Deputy Speaker, the customary road safety campaigns will continue. My colleague Mr Quinlan assures me that the police in the ACT will be mounting a strong Christmas traffic campaign. It begins at midnight tomorrow night and will target the three major causes of serious accidents—speeding, drink driving and failure to wear seatbelts. Again, as in the past, double demerit points for speeding will apply over the Christmas-New Year period.

But there is an additional measure that the government will be taking. This year there will be double demerit points for the offence of failing to wear seatbelts, and I hope that has some impact.

But there is more that can be done, I believe. Yesterday Mrs Cross raised the issue of the road signs which were put up to inform the people of Canberra about various road works. It seems sensible to use some of those signs. So I am proposing to put blades or overlays on eight of the existing signs that are in prominent locations, and those overlays will contain road safety messages. I am advised that these eight signs can be redone by Friday

of next week, and at very modest cost because they are simply overlays. The signs would use short slogans found effective in other places—signs like “Wear your seatbelt”, “Speeding is dangerous”, “Don’t drink and drive” and “Don’t tailgate”. This would be a positive initiative for the ACT in road safety.

Thank you, Mrs Cross, for reminding us of those signs. We will use them.

Special teaching assistance for disabled students

MS DUNDAS: My question is to the minister for education, Mr Corbell. I have had representations from parents of disabled students at Latham Primary School about a drastic reduction in special teaching assistance support for students in the learning support units at that school. Can you advise the Assembly whether the department is intent on reducing educational services by way of STA support to the students in Latham learning support units, and why? If they are, what reasons justify any decision and was expert advice sought on the effect and wisdom of the refusal to maintain the special teaching support at levels needed?

MR CORBELL: I am not aware of the specific circumstances at Latham, Ms Dundas. I undertake to find out for you and get some information back to you, hopefully before the close of business today.

In relation to learning support units more generally, I am aware that there are a significant range of concerns. In particular, I am aware of the examination and report put together by the Australian Education Union on behalf of teachers in those units, as well as the parents of students in those units. That report raises a number of questions and a number of issues about the adequacy of staffing and resources.

I have asked the department of education to examine that report and provide a response to me on the matters raised in it. Once I have received that briefing and that analysis from the department, I will be considering what options are open to the government to address any issues coming out of that report that need further work.

In relation to the Latham issue, I will endeavour to get back to you as soon as I can.

MS DUNDAS: I have a supplementary question. Minister, considering your government’s commitment to spend inside the school gate the money that was once spent on the school bus scheme, will some of this money be spent on supporting autistic students in schools, students who are regarded as among the most in need, requiring most intensive support?

MR DEPUTY SPEAKER: Be careful about executive policy, Mr Minister.

MR CORBELL: Yes, thank you, Mr Deputy Speaker. The money that has been set aside by the government from the Liberals’ free school bus scheme for education purposes will be considered in the context of issues such as those Ms Dundas has raised. I am interested in focusing strongly on the needs of particular students—students at risk as well as the students with autism and students in learning support units whom Ms Dundas has highlighted today. Autism is perhaps one of the most difficult issues in our education system and I will be focusing quite carefully on the options for the

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government to improve some of the circumstances that have been raised by Ms Dundas and, indeed, by the AEU.

Education funding

MR PRATT: My question is to the education minister, Mr Corbell. Minister, yesterday during question time you were asked about the costs of the review of education funding. The Labor Party ran the line that any moneys transferred from the free school bus program to the education budget would be spent inside the school gate. Can you now categorically confirm that, whatever the cost of the education review you have already announced, none of the transferred free school bus moneys will be used for that review?

MR CORBELL: Mr Deputy Speaker, as I indicated yesterday, the government is yet to fully assess the cost of this review because we are still in the process of establishing the exact terms of reference as well as the mechanisms that will govern the conduct of that review. But the commitment from the government stands—\$27 million will be spent on our education system, will be spent for schools and in the support of schools, and that is the approach that we will take.

MR PRATT: Mr Deputy Speaker, I have a supplementary question. We are not clear now about where that money will come from and whether indeed the \$27 million is going to be spent inside the school gate. As there has been no additional appropriation to the education budget to date, what programs will be cut within the education budget to pay for that review?

MR CORBELL: Mr Pratt does not understand that the government has not yet assessed the cost of this review. Mr Pratt does not understand that. What he also does not like is the fact that \$27 million extra will be spent by this Labor administration on improving the education system in the ACT. If Mr Pratt is suggesting—

Mr Pratt: But money is going to have to be spent on the review. Where does the money come from?

MR DEPUTY SPEAKER: Order! The minister for education has the floor.

MR CORBELL: Mr Deputy Speaker, if Mr Pratt is suggesting that support within the ACT department of education does not have a beneficial impact on schools—

Mr Pratt: No, I am not suggesting that.

MR CORBELL: If Mr Pratt is suggesting that—

Mr Pratt: On a point of order, Mr Deputy Speaker: I am not suggesting that.

MR DEPUTY SPEAKER: There is no point of order. If you wish, you may take action under standing order 46 at the end of question time.

MR CORBELL: If Mr Pratt is suggesting that money spent in the department of education does not benefit the school system, then he is sadly misinformed. What Mr Pratt should be aware of is that support services provided by the department of

education have a direct and extremely beneficial impact on the services and programs provided in schools.

I do not yet know in specific terms where all that money is going to be spent. What I do know is that this government's commitment is absolute and the money will be spent on improving services for the education system in the ACT—improving them where it counts in assisting the education of young people in the ACT, not on simply getting them to school.

Proposed charcoal plant

MS TUCKER: My question is directed to the Chief Minister and is in relation to his responsibility for intergovernmental relations. Chief Minister, you will be aware of a proposal to build a charcoal plant near Mogo on the South Coast that would consume some 200,000 tonnes of southern forest every year. This plan is an essential component of an integrated silicon metals project, which also includes a quartz mine located near Cowra and a silicon smelter plant near Lithgow.

Around 30,000 tonnes of charcoal will be produced per annum, which will be transported by about 10 semitrailers per day from the plant, over the Clyde Mountain and through Braidwood and Taralga to join the Hume Highway at Goulburn.

An environmental impact statement on the plant was released in November, and the New South Wales government has called for submissions before 16 January.

Chief Minister, given the ACT's integral part in the Australian Capital Region and the interest of many Canberrans in the South Coast through owning property there or using the area for recreational activity, do you intend to put in a submission on this plan?

MR STANHOPE: Thank you for the question, Ms Tucker. Through the newspapers, I have followed with great interest the debate on the proposed charcoal plant in Mogo. I take the point you make about some of the potential environmental impacts. I have not seen for myself the environmental impact statement you refer to. I am very aware of the debate and the issues, and I am aware of the attitude of the New South Wales government. There is some debate about the extent to which the particular industry that has proposed to develop, enhance and facilitate through the charcoal plant will produce some good outcomes, including some significant environmental outcomes in relation to the production of silicon.

I am aware of the argument about the amount of wood that would be consumed. I understand there is some dispute about the nature of the forestry material that would be utilised in the plant. I am not quite sure whether the statement you make in relation to the potential impact of the charcoal factory on the southern forests is necessarily as great as has been suggested by some—in relation to the forest product that would be used.

Interestingly, I did have a brief discussion at the just-completed regional leaders forum meeting with the shire clerk of the Eurabodella Shire Council. He told me that his council is very determined to see the charcoal plant located within the shire, entirely as a response to the potential employment opportunities. I am aware that there are other

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councils standing ready to facilitate or foster a charcoal plant were it not to go ahead at Mogo.

There are a range of issues that I am more than happy to get across in great detail. What happens within the region is of great interest to us here in Canberra, for a whole range of reasons. Indeed, I proposed a holiday for a week over Christmas to Broulee myself, just a quartz stone's throw away from Mogo. I would be happy to represent the views of Canberra, as the regional centre, on the issues of regional industry development.

MS TUCKER: I take that to be a yes—that you will be putting in a submission. I have a supplementary question. Given that you have expressed in this place a desire to pursue sustainable development for the ACT and region, will you ensure that you will take that approach in assessing this proposal, by balancing the short-term economic gains with the long-term environmental and social costs to the South Coast?

MR STANHOPE: I will be happy to take those issues into account, but I need to be slightly better informed about some of them. From the reading I have done on the Mogo plant proposal, I am aware that there are a range of views, particularly about the potential impact of the plant on the forests. Indeed, I am aware of a range of conflicting views on the extent of emissions from the charcoal factory if it goes ahead, wherever it is located. I will take further advice and seek further information on the issues.

Ms Tucker: And put in a submission?

MR STANHOPE: I had not planned to make a submission, Ms Tucker. But as a result of your representations I will respond. We will make a submission.

Dual occupancy

MRS DUNNE: Mr Deputy Speaker, my question through you is to Mr Corbell, the Minister for Planning. Mr Corbell, I know you are now aware of the case of Spence versus the Minister for Urban Services before the AAT. In that case the AAT found that leases granted between 1936 and 1971 had the implicit right to allow the construction of a second dwelling on the block. This was the claim made by the applicant and it was not challenged by the respondent.

So that I can help you provide your answer, let me quote from the ruling:

... the applicant contended that . . . the Crown lease . . . already permitted the construction of a second dwelling on the land.

While this matter was about change of use charge, the AAT determined that the crown lease did not prevent the construction of a second dwelling on the land. To this end, I seek leave to table the ruling from the AAT.

Leave granted.

MRS DUNNE: Thank you. I present the following paper:

Land (Planning and Environment) Act—Crown Lease—Review of determination of change of lease charge—Decision of the Australian Capital Territory Administrative Appeals Tribunal—Spence and the Minister for Urban Services [2000] ACT AAT37 (24 October 2000).

In light of this, given the implications of the decision made by the AAT, is it a fact that your plan for a 5 per cent ceiling on dual occupancies across the ACT is practically unworkable, especially considering that most of the blocks in inner north and inner south Canberra would fall into the category of leases issued between 1936 and 1971?

MR CORBELL: I have sought advice in relation to this case before the AAT. That advice has not been finalised at this point. However, at this stage I have no reason to believe that the draft variation, as put forward by the government to protect the garden city suburbs of Canberra, is under any threat.

MRS DUNNE: That does not answer the question, so I would just like to reiterate: how are you going to implement your policy and ensure that it is unambiguous, when a clear right of compensation for people has now been established?

MR CORBELL: Despite the assertion by Mrs Dunne, the government does not assert that the case to which she refers in the AAT, which was about payment of betterment tax or change of use charge, applies to the draft variation as it relates to a limit on dual occupancy development. She is linking the two issues.

The advice that I have received to date, which is yet to be finalised, is that it is far from clear whether that case will affect the draft variation. At this stage, the government is confident that the draft variation is robust and does do the work that we are committed to doing in protecting the garden city suburbs of Canberra, something those opposite failed to do.

Minister for Urban Services—media releases

MR STEFANIAK: My question is to Mr Wood as Minister for Urban Services. Minister, according to the ACT government media release site, you have not put out any media releases as yet. Could you please advise the Assembly whether that is because you have not put out any media releases or your staff have not been able to load media releases onto the site or whether keeping the people of Canberra advised of your activities is not a priority?

MR WOOD: There were a few noes in there.

A power failure having occurred—

Sitting suspended from 3.13 to 3.26 pm.

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MR DEPUTY SPEAKER: Mr Wood, please continue your answer.

MR WOOD: You have all been warned! You know now that I will do absolutely anything to avoid answering a question!

I understand the reason for the question. I think that it would be fairly well known around here that I am not addicted to putting out reams and reams of media statements. That is something I have never done and I am probably not going to do it, although things have changed a bit. I do have a fine media officer who sees it as his sacred duty to put out a dozen statements a day, but they have not been coming through. I suppose a part of his performance agreement requires him to do something like that.

I understand—and I say “understand” because technology and I are not always at one—that the system my colleagues have used is to email to one source, which then emails it onto the web site. We are waiting to lock into a more direct system. I think that is the explanation. I know that there is something there and I have spoken recently to Canberra Connect, which is part of my ministerial responsibility, about a number of matters affecting the web site.

Stand by, Mr Stefaniak; you will be getting them. I have a number there already, if you really want to catch up with what has been happening.

MR STEFANIAK: I have a supplementary question. I would be absolutely fascinated to do so, Mr Wood. Now that you seem to be sorting out the technology, can you give a deadline as to when those releases will be available on the government media web site to ensure that you are being open and accountable and we can see the gems of your wisdom?

MR WOOD: It is something to which the member opposite should have given more thought, because I understand that the former government, of which he was a significant member, stopped posting media releases some weeks before the election and they were not always available.

Mr Humphries: Our address is still on your web site, as far as I know. I found it there a couple of weeks ago.

MR WOOD: Yes, but we are sorting out the problems with getting everything across and up-to-date on the government web site.

Disabled students

MS GALLAGHER: My question is to the Minister for Health. Can the minister inform the Assembly of what initiatives the government is taking to continue to assist those students who have a disability and who are approaching the end of their schooling?

MR STANHOPE: I am very pleased to respond to that question. It is a timely question in the context of an evening I spent last night at the annual dinner of the Canberra Schizophrenia Fellowship where I discussed many of these issues, particularly issues around the difficulty of some people in our community with some difficulties still to

access employment. It is a very difficult issue and it is an issue on which we need to continue to maintain real focus.

In relation to the specific question, the government has launched a new program specifically designed to help graduating students with disabilities. The post-school options program will provide individual funding, information and referral services to support school graduates to make the transition from school to adult occupations. The government anticipates that about 30 people will benefit from the new program in 2002. \$500,000 has been allocated to the program for that year and recurrent per annum funding will also be provided.

Funds are available to graduates who are eligible for the disability support pension and who have disabilities that prevent them working full time. Funds are available to an individual for a maximum of three years, allowing the school graduate to trial and seek entry to an alternative to work program. The post-school options program was initiated by clients and parents and the non-government sector. The government is, as always, seeking contributions to the program from the Commonwealth under the Commonwealth/State Disability Agreement.

I must say that this is a particularly good initiative, which enhances and complements other programs that are in existence and which I am very pleased to see. In fact, they are programs which I am very pleased to patronise. I refer particularly to the program that is run by Mental Health Services at the Cafe Pazzini in the Health Building. This is a wonderful facility for providing employment opportunities to some of our people with disabilities. I also refer to Northside Contractors, a gardening contracting firm which I have just engaged and which I would recommend to all members.

Periodic Detention Centre

MR HUMPHRIES: My second question is to the minister for corrections. Given the Labor Party's election commitment not to build a prison at Symonston, have you consulted, Mr Quinlan, with residents of the surrounding suburbs, such as Red Hill and Narrabundah, on your decision to advance a capital works program to upgrade the Periodic Detention Centre at Symonston into what will be more like a mini-prison than a weekend detention facility?

MR QUINLAN: The short answer is: not as yet but certainly we will. It is going to be done in the context of finding ourselves with a remand centre that is totally inadequate, not only for the numbers to be housed there on any given day but also in its facilities, design and probably location.

While I am on my feet, I may as well advise the house that in a remand centre with a capacity of 69 there have been up to 90 prisoners on remand there on a given day in recent times. I am also informed informally that some times the Christmas season does not bring goodwill to all men or women, and there is often a demand on the remand centre above the normal around that time of the year.

As a government and as an Assembly—because we are all responsible in a way—we have a very severe problem. Within a week of assuming this ministry, I was informed that the territory health officer was taking a close look at that facility and that if it did get

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a pass mark it only just got it. I also understand that recently there has been an occupational health and safety review of that facility and, again, it just squeaked through. So we do have a severe problem and a problem that must be addressed.

When it is addressed, we will observe the appropriate consultation with the people of Canberra, the people likely to be affected. We will also do our best to make sure that we have a remand centre that remains open. That is going to be a challenge in itself. Thanks very much for the legacy.

MR HUMPHRIES: I ask a supplementary question. Thank you, Mr Quinlan, for that answer. Can I take it then that when you consult with residents of Narrabundah and Red Hill the consultation will include the option for them to say they would rather not have a de facto prison within a couple hundred metres or less of their homes? In this consultation, how many remandees will you be advising them are to be housed so close to their homes?

MR QUINLAN: To answer the last question first, I cannot give you a number on that. Before we went into the consultation process, if that becomes a reality—and let us say it is an “if” at this stage—we would also look at the process for the allocation of remandees to that facility. As you are probably aware, by definition, all remandees are high-security prisoners. However, within the number of remandees at any given time, there are remandees of different natures and there are remandees that are held for different reasons. I am not going to predict in any refined way exactly how the deployment of remandees would be handled, but I will be looking for the department to come forward with a program that is sympathetic to the very issues you are alluding to.

Mr Stanhope: Mr Deputy Speaker, I ask that all further questions be placed on the notice paper.

Needle exchange program

MR STANHOPE: I would like to provide some additional information, as promised, in answer to a question that I received yesterday from Ms Dundas about a 24-hour needle exchange. I have some further information that I would like to give the Assembly about the needle and syringe program.

Currently, the needle and syringe program provides 24 hours of needle availability in the ACT. There are a number of prime outlets, including ACT Community Care Directions, plus health centres that operate as part of the needle and syringe program. In addition, more than 16 community pharmacies, including late night pharmacies, operate under the program. Calvary Hospital also currently operates a 24-hour needle and syringe program.

Directions, which coordinates the program, is at the same time actively working with clients who in the past collected injecting equipment from Calvary Hospital during the day time, to redirect them to other outlets. This has not been identified by clients at this point as an issue. Other outlets have proven more accessible for some clients where transportation is an issue.

With more community pharmacies now becoming part of the needle program, it is anticipated that use of Calvary as a 24-hour outlet is not desirable for these clients. Ms Dundas, I think that that was the particular issue of concern to you, and I am happy to provide you with further information around and about the decision to desist from the 24-hour outlet at Calvary Hospital.

To sum up the information, a review of after-hours usage by the client group reveals that on average only five clients per night use the Calvary service between the hours of 9.00 pm and 9.00 am—that Calvary, on average, is receiving requests from only five people in that 12-hour period. We anticipate that this number will decrease even further as more pharmacies join the program. Calvary has also indicated its desire to close the needle outlet at its emergency department at the end of January.

I am therefore, with my department and the sector, looking at options to ensure that needles and syringes remain accessible after hours. At the same time, the needle program itself is actively working with the client group to identify accessible options for the few people who currently collect injecting equipment after hours. The Community Care web site does have information relating to the needle program. However, inquiries have confirmed that this information is not current, as Ms Dundas indicated.

The Community Care alcohol and drug program is currently updating the information in consultation with Directions, who are the coordinating agency of the needle program. Up-to-date information can be found on the newly developed Directions web site, which is now replacing the ADIN web site. As new outlets, particularly through pharmacies, are coming on board the program, this information will be reviewed and updated.

ACTTAB

MR QUINLAN: Yesterday, Ms Tucker asked the question: does any commercial arrangement exist between ACTTAB and the owner of the block in Bruce, the Hindmarsh Group, that commits ACTTAB to taking up the building once it is constructed and, if so, what are the terms of the agreement and can it be broken?

I will answer the member's question as best I can at this point. I am advised that ACTTAB has entered a contractual arrangement with John Hindmarsh ACT Pty Ltd for the construction and acquisition of a new head office building at Fernhill Park, Bruce. I am also advised that the terms of that contractual arrangement were developed prudently for ACTTAB, assisted by independent professionals. Contractual arrangements are always subject to the parties complying with their terms. I understand that there are still some points of difference out there—some contention in relation to car parking.

I understand that there has been a decision by the Commissioner for Land and Planning that no ACTTAB branch can be placed there, so the impact of the complaints lodged by residents of Fernhill have had some impact. But at this stage the exact detail of the contract can only be released if I get the agreement of ACTTAB, which should be quite easy, and the Hindmarsh Group. I am unaware at this point of whether it can be broken, and that will take a little time. I did not say commercial-in-confidence, did I? Don't look at me like that.

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Latham Primary School

MR CORBELL: In question time today, Ms Dundas asked me a question about the level of support for learning support units at Latham Primary School. I have some further advice from the department that I hope will answer her question.

I am advised that there will be no reduction of support at Latham Primary School in 2002. Latham has two learning support units for students with autism. In 2002 12 students will be enrolled, which is the enrolment ceiling. There will be two teachers and two special teachers aids, provided through the staffing formula, and an additional teachers aid allocated to the school by the department to work across the two units. This is the same level of support as in 2001.

Personal explanation

MR HUMPHRIES (Leader of the Opposition): Pursuant to standing order 46, I seek to make a personal explanation.

MR DEPUTY SPEAKER: Please proceed.

MR HUMPHRIES: During question time the Treasurer almost went so far as to say that I had misled the community about two matters. One was the provision of money for the construction of a medical school; the other was the question of advice about a likely operating loss of \$63.5 million.

In respect of the ACT medical school, the former government's position—and this was announced at the time of the general announcement about support for the medical school in June this year—was always that the capital cost of building the medical school, approximately \$30 million, could be met through movements in the capital works program over the next few years, given that the construction program was to begin in 2002-03. It is available there, given that the size of the capital works program for this present financial year alone is over \$200 million. Mr Quinlan will discover that there is plenty of latitude in a program that size to be able to accommodate \$6 million or \$7 million a year.

The second issue is the question of whether I had been advised, when Treasurer, of a likely loss of \$63.5 million. I can confirm that no such advice was given to me in government and that, if Mr Quinlan cares to make available to me the papers of the former government, I can confirm that no such advice was provided.

Papers

Mr Stanhope presented the following papers:

ACT Criminal Justice Statistical Profile—September 2001 Quarter.
Health Regulation (Maternal Health Information) Act 1998—1 July-30 September 2001
Quarterly Report.

Consolidated Annual Financial Statement Paper

MR QUINLAN (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (3.44): For the information of members and pursuant to section 25 of the Financial Management Act 1996, I present the following paper:

Financial Management Act—2000-2001 Financial Year—Australian Capital Territory
Consolidated Annual Financial Statement.

These figures are already incorporated in the first quarter's return for this year and have already been discussed in this place.

I move:

That the Assembly takes note of the paper.

Question resolved in the affirmative.

Appropriation variation Papers

MR QUINLAN (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (3.44): For the information of members and pursuant to section 16 of the Financial Management ACT, I present the following papers:

Financial Management Act—Variation to Appropriation under Section 16—
Instrument of variation
Statement of reasons.

The instrument of variation directs a transfer of appropriations between departments, and the statement is for the reasons for the transfers, which are effectively the administrative arrangement orders following the swearing-in of the new government.

I move:

That the Assembly takes note of the paper.

Question resolved in the affirmative.

Independent Competition and Regulatory Commission Papers and statement by minister

MR QUINLAN (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (3.45): For the information of members and pursuant to section 24 of the Independent Competition and Regulatory Commission Act 1997, I present the following papers:

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Independent Competition and Regulatory Commission Act—

Summary report of the inquiry into motor vehicle fuel prices

Final report of the inquiry into motor vehicle fuel prices

An investigation into the competition implications of the provision of wheelchair accessible taxi services by a single network in the ACT.

I ask for leave to make a statement in relation to those papers.

Leave granted.

MR QUINLAN: I have just presented the Independent Competition and Regulatory Commission's report of October 2001: *An investigation into the competition implications of the provision of wheelchair accessible taxi services by a single network in the ACT*. I wish to thank the senior commissioner, Mr Paul Baxter, and his fellow commissioners, Ms Robyn Creyke and Mr Peter McGhie, and the commission staff for the work on this report.

The commission was required to conduct an investigation into the competition implications of the allocation of wheelchair accessible taxi—WAT—licences to a single network and completed this investigation in October 2001. The findings are that the objective of promoting competition in taxi services, including wheelchair accessible taxis, will be served by initially allocating all of those taxis to a second network to facilitate its establishment and viability.

The benefits of allocating all existing WATs to a second network outweigh the costs, and the objective of improving the standard of taxi services to the disabled community is best served by keeping the existing WAT fleet together. Although the commission found that allocating all WAT licences to a single network could be justified, the government has decided not to force the existing wheelchair accessible taxi licence-holders to transfer to the second network.

Notwithstanding this, the government supports the establishment of a second taxi network and is considering how this might be encouraged. The government is also concerned about the quality of service provided to the disabled community. My colleague Mr Bill Wood, Minister for Urban Services, who has responsibility for taxis, has this matter under consideration. Again, I thank the commission for its work and commend the report to the house.

MR SMYTH: Mr Deputy Speaker, I would like to make a few comments.

MR DEPUTY SPEAKER: Is leave granted for Mr Smyth to make some comment?

Leave granted.

MR SMYTH : I do not have the report before me, but the Labor Party made great show in the lead-up to the election of how bad it was. I think that was a stunt that has badly backfired on the Labor Party. They referred it to the commissioner, assuming they would get the result that said that this was a bad thing. I am very pleased with the quality of the commissioner's work and that the work he does indicates that this would be a good

thing. The commissioner says in the report that it would be beneficial to the disability community, and I cannot for the life of me believe that the Labor government would now say that they will do something that goes against looking after a section of a community that deserves all the consideration and assistance we can offer.

It is important that we all have a look at this report, when we get copies of it, to see that it says that there are benefits. Indeed, the commissioner, from my memory of the report, says that perhaps we will review this in a year or two but that there is benefit in putting all of the wheelchair accessible taxi plates into one network to ensure the quality of the delivery of service to the disability community. It is a shame that the government has not now taken the opportunity, based on the independent advice of the commissioner, to do something beneficial and worth while.

Perhaps one of my colleagues will adjourn the debate on the report, so that we can all look at it. We might bring this subject back on for some further discussion in the future.

Motion (by **Mr Quinlan**) proposed:

That the Assembly takes note of the report.

Debate (on motion by **Mr Wood**) adjourned to the next sitting.

Community contributions made by gaming machine licensees Paper

MR QUINLAN (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (3.50): For the information of members and pursuant to section 60F of the Gaming Machine Act of 1997, I present the following paper:

Gaming Machine Act—Community contributions made by gaming machine licensees—Fourth Report by the ACT Gambling and Racing Commission, 1 July 2000 to 30 June 2001

This is the fourth report tabled in this place in relation to contributions made to charitable and community organisations. The first two reports were produced by the Commissioner for ACT Revenue. I am informed by the group in front of me that this is the first year in which a minimum contribution is compulsory. Does anyone want to make an advance on that? The second? This might be last year's speech recycled—a touch of *deja vu*. Does anybody remember this speech?

Mrs Dunne: No, they are right. This speech is different from last year's.

MR QUINLAN: Okay. The legislation governing the report is in place; we know that is happening. Let's just cut to the chase. I will mention some of the things that are included in this report, starting with hotels. Hotels had a gross gain in revenue for 2000-01 of \$367,000, which is an increase of about \$65,000 on the previous year. The six hotel licensees contributed 8.64 per cent of their gross gaming revenue to community groups.

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Despite the increase in their gaming machine profits, the hotel licensees' contributions were a bit lower than last year. But it is only a small sector. I recall the former government making great show of the fact that a few hotels made a bigger contribution than clubs. It seemed to be at that time a spurious use of statistics, but we should be reminded of that. The main point is what the clubs contributed.

In the reporting period 2000-01, the club industry had a gross gaming machine revenue of \$167 million, an increase of nearly \$10 million, or nearly 7 per cent, on that received during 1999-2000. After tax, and subtracting 15 per cent of gross gaming machine revenue representing the clubs' operating costs, net gaming machine revenue received by all clubs is estimated at \$102 million. It is on the net gaming machine revenue figure that clubs are required to pay their mandatory 5 per cent community contributions. It is pleasing to note that in line with the increase in net gaming machine revenue there is also an increase in the value of community contributions compared to the previous year.

A total of \$13.9 million, virtually \$14 million, was reported to the ACT Gambling and Racing Commission as community contributions, which is \$3 million higher than in 1999-2000. Of the reported \$13.9 million, the community sport and recreation infrastructure received \$10.6 million, and \$3.2 million went to charitable organisations, welfare, safety and social services, and non-profit organisations.

It is acknowledged that 17 clubs declared contributions in excess of 20 per cent of their gaming revenue and 32 clubs declared contributions of between 5 and 20 per cent of their net gaming machine revenue. Eight clubs did not meet the mandatory 5 per cent of net gaming machine revenue, and each of those clubs has been provided with a notice requiring that payment of short-fall tax. The short-fall tax payable is about \$40,000.

The report contains the usual data. If you read the report I think you will find that the authors show a bias towards contributions to charitable organisations as opposed to wider community organisations and to sport and recreation. A moot point that we can discuss in this place is where community contributions begin and end.

I would like at this point to say a couple of words in relation to sport because it seems to be taken to be a lesser objective than outright charitable organisations. I do not wish to disavow that belief. I do not think contribution to the community can be much higher than giving directly to the Salvation Army or the Society of St Vincent De Paul, et cetera, but to play down the role of sport or to play down the role of welfare and safety organisations needs to be done with a certain amount of care.

I will stick up for sport at this stage by saying that we must recognise that sport is a contributor to the community. It contributes to the physical wellbeing of the community. But further, and particularly in relation to youth, it provides physical activity and an occupation for young people; it involves young people in teamwork; it involves them in discipline and in self-discipline. And success in sport provides an extra avenue for the building of self-esteem.

We ought to be aware of the great contribution made by the clubs within this community—many of which were set up principally to foster sport—by all the volunteers on their boards, by the coaching panels and by people at various administrative levels. It was an eye-opener to be at the ACT Clubs Sportstar of the Year

Awards presentation last week and to become aware again of just how many people are involved in coaching and sports administration, for little or no reward, contributing greatly to the fabric of our community.

I move:

That the Assembly takes note of the report.

MR HUMPHRIES (Leader of the Opposition) (3.57): It is pleasing to see that there is an increasing level of compliance, and perhaps generosity, on the part of a number of organisations receiving gaming machine revenue in the territory. I note the increase in expenditure of more than \$10 million by ACT clubs under the act. That is a very good sign that there is considerable exertion going on across the ACT community for charitable and other organisations.

For my part I am happy to indicate support for Mr Quinlan's preparedness to discuss how the breakdown of expenditure occurs and to make sure that the distribution of moneys in the ACT is such as to reflect need as much as the particular predilection of particular organisations. But that is a debate for another day. In the meantime, it is pleasing to see that only a small number of organisations failed to comply with the mandatory requirement of 5 per cent of their gaming machine revenue going to prescribed activities.

MS TUCKER (3.59): I want to join this discussion briefly. I recognise the comments that have been made as valid, but it is important that we remember, on the agenda here, that we have the potential for having a more coordinated approach to managing this contribution from the gambling industry, which is basically to compensate for the social harm that gambling creates.

There is a proposal, which I think is still with the gambling commission, to look at the possibility of having a direct levy so that we have a more coordinated approach to assessing social need. It is a fairly random process at this point in time. While I know that the clubs have said that they want to make it less random—and politicians here have said that as well—there is a simple way of doing that. If you have a direct levy, as has been recommended in a number of inquiries and reports on this issue, so that distribution can be coordinated with an overall understanding of social need, it might be a more effective way of managing it.

While we are on gambling, from my understanding of the discussion that occurred before on the impact of closing the poker machines down for a few hours, I am pretty sure that I amended that act of Dave Rugendyke's so that I would only support it if there was an evaluation carried out by the gambling commission. I am expecting the gambling commission to be doing that, so we will be able to look at their work and determine whether this will have been useful or not. I am pretty sure that was supported by the Assembly.

Question resolved in the affirmative.

Papers

Mr Wood presented the following papers:

Annual reports

National Road Transport Commission Annual Report 2001
Commissioner for the Environment ACT—Annual Report 2000-01.

Quarterly report

Cultural Facilities Corporation—First quarter 2001-2002—pursuant to subsection 29 (3) of the Cultural Facilities Corporation ACT.

Indigenous education—performance report Paper

MR CORBELL (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations): For the information of members, and in accordance with the resolution of the Assembly of 24 May 2000, I present the following paper:

Indigenous Education—Third report to the ACT Legislative Assembly on performance—six monthly report to 31 August 2001.

I ask for leave to make a statement in connection with the report.

Leave granted

MR CORBELL: I am very pleased to present the third six-monthly report on performance in indigenous education. The report covers the period to 31 August 2001. I would like to remind members that these reports were initiated by a Labor Party resolution back on 24 May last year. The Legislative Assembly then agreed that the Minister for Education would issue six-monthly reports on performance in indigenous education. Two such reports have since been tabled in the Assembly. I am pleased that the government is able to continue this reporting.

Indigenous education continues to be a real concern in the ACT—as it is in the rest of the country. The government recognises that indigenous students have various needs that can be addressed within the wide net of support programs for all students at risk of not achieving optimal education outcomes. Additionally, the government recognises that indigenous students have more specialised needs that require more targeted assistance.

In relation to indigenous education, the government has committed to put workable strategies in place to ensure that educational outcomes for indigenous students improve; to develop strategies to improve retention rates for indigenous children in the mainstream education system; and to ensure that education and training programs are linked to real job opportunities for indigenous job seekers.

There are four key initiatives I would like to draw to the attention of members. The first is the Indigenous Education Consultative Body. The IECB is a very important advisory body to government. As former members' terms expired in October 2001, I would like to take the opportunity to thank the members of the outgoing body for the sound advice they have provided to government over the past four years.

Arrangements for appointments to the IECB, including advertisements calling for expressions of interest from the indigenous community to be members, have almost been completed. I have planned for the new body to be in place by the end of December 2001, with the continuing brief to provide advice to government on education, training and community services. I look forward to meeting with members of the IECB when it is reconstituted, hopefully early in the new year.

The second initiative I would like to draw to the attention of members is the indigenous education compact. The development of an indigenous education compact was the important initiative to emerge from the indigenous education forums organised by the department and the Indigenous Education Consultative Body in August last year. The joint working group established from the forums has undertaken a broad consultative process within the department and the local indigenous and Wreck Bay communities.

The final community consultation will take the form of a mail-out of the draft compact to all indigenous families with children enrolled in our government schools. This will give them a final opportunity to comment before the indigenous education compact is signed off by the department and the Indigenous Education Consultative Body. The compact will become the guiding document for the Department of Education and Community Services strategic plan for services to indigenous people.

Our third initiative is the departmental strategic plan for services to indigenous people. The department has implemented a consultative process to develop a strategic plan for services to indigenous people. The draft plan will be distributed for consultation in March 2001 and is being finalised before the end of this year. The strategic plan is proposed for tabling in 2002.

The fourth initiative is acknowledging country, an initiative that I acknowledge you yourself, Mr Speaker, brought to the Assembly. In a cultural awareness and reconciliation initiative, the chief executive of the Department of Education and Community Services has asked that an acknowledgment of country be adopted as a first protocol at all appropriate meetings of departmental officers and community meetings led by Department of Education and Community Services officers. This is to include school assemblies. The department is the first government department in Australia to adopt this as a protocol, and I welcome it as an important symbolic, and also real, step in addressing issues around reconciliation.

Finally, I would like to say that this is a very important report. It establishes a basis for monitoring and implementing improvements in performance in indigenous education so that we can now move to achieve necessary outcomes.

The draft strategic plan that I referred to earlier has four key commitments for the department in the provision of services to improve outcomes for indigenous children and young people and their families. It does this by eliminating racism; forming real and

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ongoing partnerships between indigenous communities and the ACT Department of Education and Community Services; creating educational and service environments that are welcoming, safe, supportive and culturally inclusive; and ensuring that outcomes are the same for indigenous and non-indigenous young people.

I look forward to working with the department, the community and, in particular, the Indigenous Education Consultative Body to progress improvement in performance in indigenous education.

I commend the third six-monthly report on performance in indigenous education to the Assembly.

Future directions of Urban Services and the Arts Ministerial statement

MR WOOD (Minister for Urban Services and Minister for the Arts) (4.07): Mr Speaker, I ask for leave of the Assembly to make a ministerial statement concerning future directions of departments under my jurisdiction.

Leave granted.

MR WOOD: I am pleased to be able to outline the priorities for the Stanhope government in the areas of urban services and the arts—first of all, the arts. Canberrans are much involved in and appreciative of the arts. National data indicates that we lead Australia in attendance at most arts activities. The government wishes to support these activities and restore the importance of arts within our community. We have stated that we will restore the ACT Cultural Council to a pre-eminent position. I have met with the council and discussed their role as principal adviser to the arts minister. I look forward to working with the council in this role.

Our election policies also contained a commitment to provide \$800,000 to the National Institute of the Arts at the ANU. This is the remaining half of the funding removed some years ago by the former government. This funding will be provided, as promised in the 2002-03 budget. I have begun discussions with the directors of the institute to identify where funding will be directed. Through a range of school and community programs and other activities, the ACT cultural scene will benefit from this funding. Our early discussions indicate that a range of exciting proposals will emerge.

The delivery of urban services impacts on every citizen daily. I was delighted to attend the Urban Services Outdoor Expo in Civic a few weeks ago, where many of these services were showcased. The enthusiasm of staff was a pleasure to see, and I share their wish to make Canberra an even better place. We need to value what we have—our environment, heritage and lifestyle—and continue to improve our services and facilities. This includes adequate and affordable shelter and support services.

One of the first priorities of the Stanhope government is to focus on providing quality, accessible, affordable and appropriate housing for those in need. There are a number of immediate priorities that the government will attend to in this area. As we outlined in the lead-up to the election, we will remove the previous government's requirement for three-yearly reviews of eligibility for ongoing public housing assistance.

In giving a higher priority to the minister's Housing Advisory Committee, I have asked them to review the recommendations of the Select Committee on Public Housing, examine the issue of affordable housing, consider the appropriateness of multi-unit properties and consider older persons accommodation options. Building on the work of the Housing Advisory Committee, the government will develop an affordable housing strategy.

In the election campaign, policies developed by me and Mr Corbell were proposed to overcome the problem that many in our community have in finding a house. We will continue to work together on this issue, with a cross-portfolio approach, taking into account work by the Poverty Task Group. We will draw upon the expertise of the minister's Housing Advisory Committee, and we will work with Planning and Land Management and the new planning authority, when it is established.

A priority of the former government—and a continuing priority—is to ensure that the public housing system is viable and accessible in relation to the increasingly diverse housing needs of residents in the ACT. Work will be undertaken over the next three months to investigate how public housing stock numbers might be maintained. Within the next three months, ACT Housing will be required to produce a comprehensive asset management strategy that must be inclusive of all of ACT Housing's \$1.5 billion asset holdings, including its multi-unit site.

Community housing is now recognised as an important way to address housing needs. From the beginning of next year, a major focus will be the development of a strategic policy framework for community housing in the ACT. Issues to be addressed include appropriate financing options and sector development, as well as tenancy, property and regulatory issues. Other issues that will be progressed over the next six months are the renegotiation of the new Commonwealth-State Housing Agreement, the review and implementation of a trilateral agreement on indigenous housing and the development of policies regarding adaptable housing.

Environmentally sustainable transport will be a major focus of the Stanhope government. Mr Corbell will separately outline some of the major initiatives in the area of transport planning and public transport. In developing a comprehensive transport plan, the government will ensure that Canberra has adequate infrastructure to provide safe, efficient and environmentally friendly transport by both private and public means.

The government is committed to developing Canberra into a vibrant city with good regional and national links. A major commitment of the government is to investigate the upgrade of Majura Road to a four-lane highway to support the development of the Canberra Airport area as a transport hub. Early next year we will commence a feasibility study of this option, and \$250,000 has been committed to support this work.

The development of alternative, environmentally friendly transport options for Canberra will be the focus of the government. To demonstrate our commitment to provide safe cycle routes we will commence the feasibility phase of the Downer to Woden bike link this financial year with \$250,000 to undertake this work.

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Prior to the election we highlighted our commitment to the environment, particularly in the area of nature conservation. We are committed to increasing the resources in this area and will allocate an additional \$1.5 million for nature conservation over the next three years. This funding will be used to fund additional staff and resources for the Environment ACT Parks and Conservation Service, develop an integrated nature conservation plan, establish an Environment ACT community support and education program and implement a strategic species and communities management plan. As an initial step we have committed \$250,000 for this financial year.

The government understands that the issues we must face in our own city are important in a regional and global context. The significance of planning, land use and transport policy in addressing these issues is recognised. How we respond to issues such as global warming and greenhouse will be vital to improving our own environment and contributing to a better global environment.

Therefore, the government will enhance its commitment to achieving greenhouse targets and will immediately introduce a number of steps. These include to review the Energy Advisory Service with a view to enhancing its services and to commence the solar hot water rebate scheme immediately with a commitment of \$100,000 this financial year. We have begun an examination of our commitment to an office of sustainability and are considering its relationship with other offices such as the Conservator of Flora and Fauna and the Environment Protection Authority.

The government is committed to ensuring that the municipal services provided by the department are high quality, efficient and accessible. Urban Services will continue to deliver a range of services to the ACT community: parking and road user services, roads and traffic management, waste management, forests, information services—including Canberra Connect—libraries, e-services, urban ranges and horticultural services.

In delivering these services we are committed to ensuring that they are accessible to the whole Canberra community. A specific focus will be on improving online services and providing opportunities for the local community to conduct transactions online. Recognising that there is a need to provide alternative ways to access services, the government will continue to enhance services provided through shopfronts, by telephone and at libraries.

In conclusion, I look forward to working with the rest of the government as Minister for Urban Services and Minister for the Arts. In the next six months we will focus on specific priorities and implement the government agenda in these areas.

I present the following paper:

Future Directions—Urban Services and the Arts—Ministerial Statement, 13 December 2001.

I move:

That the Assembly takes note of the paper.

MR STEFANIAK (4.17): I am pleased to see the up line Mr Wood has given in the housing parts of his statement. There is a real need to have a look at the types of housing that we have in the territory and the real needs of the likely clientele. The days are gone when you had a husband, a wife and 2.4 children in a house. A lot of effort has been put into appropriate housing over the last few years to mix and match. It is an ongoing problem, and it is pleasing to see that he seems to recognise that.

I look forward to the work being done by these various groups. There is a lot of work to be done there, Minister, in ensuring that Housing does get it right. The needs are diverse, but there are some obvious trends there which are not going to change and which will need to be reflected in the housing mix.

Whilst I am on my feet, I might congratulate and agree with Mr Quinlan on his comments regarding the contribution from clubs to sport and recreation. I have been well aware of a number of those developments in my electorate. I do not necessarily agree with what the author says on page 8 of that report, as I think there are some significant community benefits there. I am also delighted to see that the amount of money will be greater next year, too, as a result of the 5 per cent going up to 6 per cent.

Getting back to Mr Wood: I am certainly interested in seeing what eventuates over the next few months. It is a big issue, and \$1.5 billion is a big asset. We need to ensure that there is a proper, adequate mix for our housing needs. Those issues are not going to go away. The needs of some of these people—some of the most vulnerable in our community—are going to stay with us, and we need to get it as right as we possibly can.

Question resolved in the affirmative.

Future directions of Education, Youth and Family Services, Planning and Industrial Relations

Ministerial statement

MR CORBELL (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations) (4.20): Mr Speaker, I ask for leave of the Assembly to make a ministerial statement concerning future directions of departments under my jurisdiction.

Leave granted.

MR CORBELL: Mr Speaker, I am pleased to present this first ministerial statement to the Assembly outlining the new Stanhope Labor government's early priorities on education, planning and industrial relations.

The key issues Labor took to the Canberra community in the October election were health, education and planning. In each area the new government presented a strong and well-developed agenda for reform. The government's reform agenda was a response to the issues the Canberra community wanted to see addressed by the territory government, and my colleagues and I intend to move in a timely and considered manner to implement our commitments.

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There is no doubt that Canberra's public education system is effective and successful. Canberra's schools rank as the best in the country, but there is still work to be done to maintain the standards of our education system as well as further improve the quality of services. Importantly from a social justice perspective, there is also critical work to be done in improving outcomes for children and families from disadvantaged circumstances and implementing a strategic framework to achieve this.

Since the election of the new government I have already undertaken a wide range of meetings with people within the education sector. I will be continuing this process as details of the government's education agenda are moved towards implementation. Our election platform clearly stated that quality education is one of this government's priorities. We recognise that it is fundamental to the social and economic development of the ACT.

Our community shall have full and equal access to high-quality education at all levels. In particular, access to education must not be limited by social, cultural, economic or other similar determinants.

We all acknowledge the critical role education plays in providing pathways for people to employment and economic security. That is why this government wants to target education programs by recognising the imperative to provide access to information technology in our schools and to ensure class sizes provide effective learning.

The chief resources of knowledge, ideas and skills are essential to our economic growth and to the capacity of all our city's citizens to participate equally in the future of our community. We in the ACT have a perfect opportunity to prosper through our skills, the cumulative learning of our work force, and our primary assets will be our citizens' skills and insights. Individual societies and economies face very different futures, according to whether they recognise these realities or not.

For all of these reasons, Mr Speaker, as you would know, over the next four years the government will redirect the \$27 million that was previously allocated to the free school bus scheme to the education of our children and young people. This funding is in addition to the funding provided by the previous government.

Three million dollars will be allocated for information technology for schools in next year's budget. New technologies pervade every dimension of our social and economic life, and we must equip our children and young people not only to get by with technology but to thrive and to broaden the possibilities for its use.

Further, to support the educational outcomes for early primary school students, we propose to inject funds into the reduction of class sizes in public schools, starting in 2002. Currently the ratio is one teacher to 25 kindergarten students and one per 30 students for years 1 to 3. Arrangements have been made to resource classes on the basis of one teacher per 25 students in kindergarten to year 2 in 2002, one teacher per 23 students in kindergarten to year 3 in 2003, and one teacher per 21 students in 2004. This means that for the first four years of schooling government schools will be funded to allow class sizes of only 21 students by 2004.

Mr Speaker, it is obvious that smaller class sizes will result in greater individual attention being given to our children and therefore greater individual and collective development and learning. Approximately 140 additional teachers will be recruited to implement the reduction in class sizes over the next three years.

In recognition of the pressure placed on community services through the Australian Industrial Relations Commission determination on the social and community services award, the SACS award, with the proposed passage of the second appropriation bill this sitting, I will be able to provide interim payments to the affected community services.

The new award will greatly affect community service providers in varying ways. The greatest impact will be on those services providing 24-hour support for those most at risk. Services providing extended hours care, such as aged services, will also experience increases in their annual costs, but to a lesser extent. For those services operating during business hours, the increases in salary costs are less still.

In order to objectively determine the impact of the award increases on these services, a tender process is under way to select an organisation to undertake the assessment. The project will translate all positions into the appropriate levels of the social and community services award and assess the additional costs imposed by other awards. The project is expected to commence in December and will take some months to complete.

This government recognises the importance of accessible child care and will substantially increase the number of places available across the city, particularly in Gungahlin. I am pleased that the government has already moved to establish additional accommodation at the Nicholls early childhood centre and Ngunnawal children's services centre. Both of these services have indicated their willingness to expand to meet the demand for services. This temporary accommodation will provide approximately 55 additional places by March 2002. In addition, a new child-care centre at the Gungahlin town centre will be established by October 2002, providing an additional 90 places.

In relation to the redirection of the remainder of the \$27 million from the free school bus scheme, and beyond the commitments I have just outlined, I will be consulting with key stakeholders over the next few months about educational priorities and the most effective use for these funds.

We will not rush into determining our future funding priorities. We propose to examine the options strategically in a planned and consultative manner. This needs to include an analysis of how current resources are directed and whether they are enhancing Canberra's standing as a centre of learning excellence.

This government is committed to full and equal access to high-quality education at all levels. We plan to pay particular attention to students at risk, students with special learning needs, students with disabilities, improved retention rates and improved levels of literacy and numeracy. In doing so, we again recognise the critical importance of learning in determining an individual's and community's prosperity. We will ensure that professionals such as counsellors and family support services interconnect to provide comprehensive encouragement for students to succeed in their educational setting. This

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commitment recognises the importance of personal support and welfare assistance, including counselling services in secondary schools and colleges.

We will also commit to achieving equality for indigenous students. As I outlined earlier today, we will see the development of individual education plans for indigenous students to improve their educational achievements. We will see the recruitment of more indigenous teachers and the enhancement of the home/school liaison program.

Further, the employment of two executive officers to work with high school teachers to develop strategies to meet the needs of students at risk because of low levels of literacy and numeracy will also proceed. This will improve our students' levels of competencies across all areas.

All schools will develop literacy and numeracy plans in line with a system-wide strategy. We will also provide professional development for teachers at all levels of schooling to meet the needs identified through literacy and numeracy testing.

Professional development of our teachers is equally important. This government will ensure that ACT schools are staffed with fully qualified and skilled teachers, are connected to the global learning community through information technologies and foster a culture of continuous improvement.

We will also commence a longer term inquiry into education funding. As I have said, it is important to get these things right—to reassess and plan for directions of education and its impact on society in the medium to long term. The time to plan for the future is now. To this end, we intend to involve the critical players in the education of our community—professionals, parents and carers, students and community leaders.

Continuing professional development of staff in the vocational education and training sector is also a key element in fostering quality education for all members of our society. As teachers of the future work force, vocational education and training teachers must have made available to them opportunities to enable them to develop links with industry to ensure they are up to date with the latest in technology and industry improvements.

Knowledge and the ability to use it are the major individual and community assets of the future, and they need continuous maintenance and development. This is also true in our school communities if teachers are to bring out the best in the ACT's children. Learning throughout life was once an optional extra. It has now become an inescapable imperative. We will support the professional development of our teaching staff.

Dr Peter Ellyard, in a recent speech to the Australian National Training Authority National Conference, stated:

It is estimated that today's high school graduate will have not one but six or seven careers in their lifetime; and that 75% of the job categories of the year 2020 do not yet exist.

In this context, institutes such as the Canberra Institute of Technology have a critical role, in this government's view, in providing ongoing opportunities for people to continually upgrade and/or develop new skills through lifelong learning. We will

therefore be encouraging participation by ACT adults in adult education through guaranteeing a diverse range of providers which meet the needs of individuals and respond effectively to different learning content, styles and requirements.

We will actively promote stronger links between the Canberra Institute of Technology and schools, particularly emphasising credit transfer and other ways of streamlining the flow of students between institutions. This is to ensure the most efficient use of available resources to achieve the best possible results. We will also promote stronger links between the Canberra Institute of Technology and ACT-based universities. This will allow CIT graduates to continue further with their tertiary education and again promote efficient cross-utilisation of resources.

Mr Speaker, as you can see, the government's agenda for education is strategic and an accessible vision for continuous learning. It ensures that intellectual and human capital is acknowledged as the source of individual and community prosperity. The concept is to unite children, their parents and their grandparents under a single unifying concept for their advancement and wellbeing.

Mr Speaker, planning was also a key agenda in the recent election campaign, and one in relation to which the new Labor government outlined a distinct alternative to the approach adopted by our predecessors. Rather than simply seeking to moderate and accommodate the different interests in planning and development in our city, the new government will put in place a strategic, whole-of-government approach.

Investing in planning is about investing in our common future, a future that will require maintaining our unique and world-class built community, as well as addressing contemporary issues of sustainability and equity.

In this centenary of federation year, a year in which we have celebrated 100 years of planning for the national capital as well as the 50th anniversary of the Planning Institute of Australia, it is very appropriate to talk about planning and the vision for the city of Canberra, a city which is built on a planning vision.

As minister, I will honour my statements on previous occasions that this Assembly needs to take a strategic, long-term view of Canberra's planning. We will establish a strategic planning framework which will take account of transport, population growth, employment location, land availability, retail and leisure activities, ecological constraints and community and environmental values. No aspect of long-term planning will be left untouched.

I would ask members of the Assembly, especially those who will serve on our committees, to think strategically about planning and how we can achieve the best outcomes for Canberra. It is time to challenge the community, the professions and members of this place about contemporary planning practice and the way in which the Assembly can play its role.

Given the nature of our dual planning system, I will be making fresh approaches to the Commonwealth government to pursue avenues for closer cooperation on planning. I am also initiating ongoing discussions with the New South Wales government on those key issues which we share—regional planning, sustainability and quality urban design.

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As promised during the election, the government will establish an independent planning and land management authority that will deliver several principles. These will include:

- the best contemporary planning practice;
- integrated solutions to planning issues;
- the primacy of strategic planning, guiding services delivery and development;
- sustainable land use practices, including an integrated land use and transport strategy; and
- strongly incorporating community views into the strategic planning of Canberra.

Mr Speaker, \$300,000 has been committed this financial year to the creation of the authority, and the process is already under way. There are, of course, many different models for a statutory planning authority. I am consulting with a wide range of my colleagues in government, the community and urban planning and development experts about the most appropriate models for the ACT. We have the opportunity to develop a contemporary model which embodies best practice in strategic thinking, consultation and communication. This is essential for the future growth and sustainability of our city. I expect to announce further details in relation to an interim authority and to follow that announcement with an outline of specific legislation to create a permanent authority. Drafts of that legislation, as an exposure bill, will be discussed through public consultation strategies in the new year.

This government will protect Canberra as the bush capital and the garden city. This government is listening to the people of Canberra. We will protect the amenity of our suburban neighbourhoods. We have committed \$500,000 in this financial year to commence a master planning program through the development of neighbourhood plans. Individual neighbourhood plans developed in consultation with new neighbourhood planning groups will specify where, when and what type of development can occur in the suburb. This process ensures residents' interests and needs are essential to our planning process.

I have approved a three-year program for neighbourhood plans, giving immediate priority to certain suburbs with the greatest pressures and community interest—Braddon, Turner and Deakin. These will be followed by O'Connor and Lyneham in this financial year. For Turner, in particular, I will ensure that key recommendations of the Planning and Urban Services Committee report of August this year are incorporated in the new planning process.

The neighbourhood plan process will include other inner south suburbs and the remaining suburbs of the inner north during 2002-03, and Woden and Weston Creek will be programmed to commence in 2003-04. This timetable is conservative, and I am hopeful that with experience and community cooperation we can accelerate the process. In this financial year \$150,000 has been committed to establish neighbourhood planning groups and a community advisory panel to re-examine ACTCode 2 and the draft residential land use policies.

During the election campaign the Labor Party made a very clear commitment about limiting dual and triple occupancy development, and the new Labor government stands by that commitment. Dual and triple occupancies are fundamentally changing the

character and amenity of many suburbs. These changes are not planned and do not contribute to the strategic objective of improved sustainability for a future Canberra. There is clearly a role for dual and triple occupancies, but this role should be identified as part of a comprehensive approach and should not come at the expense of the amenity of the garden city.

During the election I gave the community advance notice that the rules were changing. I asked the Planning Authority to issue a draft Territory Plan variation on 6 December this year. The plan variation dictates that the number of dual and triple occupancy developments be limited to 5 per cent of the total number of blocks of any section in a suburb. For example, a section with 20 blocks will be permitted only one dual occupancy development. Where an acceptable design response report as required by the designing for high-quality and sustainability process is submitted to the Planning Authority before the close of business on 20 December this year, the application will be considered.

This draft variation will remain in force until the more comprehensive strategic approach referred to in the government's election policy is introduced. The government will develop neighbourhood plans for each suburb and then move to encompass those planning controls in a new code for residential development in Canberra.

I am pleased that I was able to arrange additional community consultation on the residential development code earlier this year. This is an important issue, and I will have more to say about the government's process in the new year.

Mr Speaker, I now turn to three significant and, at times, emotive issues from the election. The government went to the electorate with a clear policy stance on the Gungahlin Drive extension. It was exceedingly evident that vastly improved access to and from Gungahlin was overdue. The government listened, and we have acted as we said we would. Subject to the Assembly's deliberations, the government will manage all the processes under its control to build the Gungahlin Drive extension on the western alignment.

It is our intention to build it to the stated construction timetable. To achieve this timing, I have directed that work on the engineering feasibility study and the essential environmental assessment studies commence in parallel. Already, there have been direct negotiations with the National Capital Authority about required changes to the National Capital Plan, and my officers will prepare consequent draft changes to the Territory Plan.

The government recognises that the development of the Gungahlin Drive extension is only part of the equation in addressing Gungahlin's transport needs. The government is already responding on a range of other measures to address the transport needs of Canberra as well as specific issues relating to Gungahlin. The government sees transport as fundamental to the future sustainability of the city. We need to address our transport needs for the future in a way which encourages the use of alternatives to the car and recognises greenhouse impacts. The government is committed to developing a comprehensive plan which provides a framework for the development and maintenance of appropriate transport infrastructure. We will create a transport system that is efficient, safe, reliable and more sustainable.

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Government initiatives will improve transport links to surrounding centres and major cities and better integrate services within the city itself. This will improve Canberrans' quality of life, reduce greenhouse gas emissions and reduce the costs of doing business in Canberra.

The government is committed to ensuring that ACTION remains a viable, accessible public transport provider. Within the first six months of the government the following initiatives will be introduced. ACTION will commence as an authority on 1 January next year. This will place ACTION on a more commercial footing and increase the transparency of its cost service provisions, including community service obligations.

Bus operator accreditation is currently being introduced to ensure that all bus services operating in the territory meet reasonable standards of safety and service. The government will ensure that route services are provided when and where they are needed at a cost which is affordable.

The bus fare system will be simplified and the cost to people in outer areas reduced. The government will scrap the zone fare system and will introduce a single flat fare for all users in early 2002.

As promised, the school student transport scheme will be abolished at the end of this school year. A new means tested program focusing on providing free bus travel to students from low-income families will be introduced at the beginning of the new school year. In addition, the single flat fare will continue. This fare is set at the level of the current single-zone student fare. School bus drivers engaged under the SSTS, the school student transport scheme, will be retained until the end of their contracts.

Early in 2002 the government will also expand the off-peak pensioner concession fare scheme to peak times—a significant improvement for pensioners catching a bus.

A bus replacement scheme will be considered in the 2002-03 budget. The government is committed to increasing the number of accessible bus routes throughout Canberra, particularly intertown services, and the government will make the purchase of accessible and environmentally friendly buses a priority. This will include the purchase of compressed natural gas buses. The government will also commence a feasibility study into the introduction of CNG outlets throughout the ACT to facilitate the use of CNG fuels by business and the general community.

Proposals such as light rail will be investigated in the new year. There will also be investigations into appropriate routes for bus-only lanes and busways heading to and from Civic.

Mr Speaker, I have outlined planning and transport issues of the highest and immediate priority to the government. Successful resolution of these issues will enable us to work through many other challenges.

Mr Speaker, I will now briefly turn to the area of industrial relations. Wage justice and employment equity for all Canberrans is the cornerstone of the government's approach to industrial relations. Labor is determined that all workers in the ACT will be treated fairly and equitably in the workplace. The government will seek a system of industrial

regulation that delivers appropriate wages and conditions. The government will also encourage the protection of all employees in the ACT through provision of minimum wages and conditions in a strong and relevant award system. The ACT will also participate more actively in the 2002 living wage case.

I also intend personally to take a strong role in matters relating to the deliberations of the Workplace Relations Ministers Council. The membership of the council comprises Commonwealth, state and territory ministers responsible for industrial relations, who meet twice a year to discuss important issues affecting all of our jurisdictions. Under the previous government, attendance by responsible ministers at the council was, to say the least, sporadic. In fact, the previous government was not interested. The ACT work force can be assured that this government views attendance at this forum as important, and I look forward to representing the territory at council meetings.

Mr Speaker, there is undeniable evidence that Australians in nearly every industry are being subjected to excessive working hours and workloads. The government supports the call by the ACTU to address excessive hours and increased workloads across all sectors of the community. The government also supports the introduction of a public sector and common rule private sector award clause that would ensure that workers are not forced to work excessive hours.

In respect of the ACT public service, the government, in consultation with the union movement, is committed to reducing the number of agency enterprise bargaining agreements and ensuring that these agreements are all union negotiated. The government has also agreed to establish a set of core conditions that cannot be diminished by enterprising bargaining at agency level.

On 21 November the Chief Minister announced that he had directed discussions with relevant unions to commence as soon as possible, with a view to the establishment of a union management consultative council on public service management. A mechanism for such a consultative council has been available for some years under the Public Sector Management Act 1994.

Unlike the previous government, we will utilise the provision for consultation on a wide range of strategic public service management issues that will benefit all ACT public servants. This forum will enable staff representatives to be consistently consulted about all significant issues affecting them.

In keeping with our policy of fairness and equity for all workplaces, the government is looking at alternatives to Australian workplace agreements, whilst recognising the need to maintain necessary flexibility to respond to market pressures in particular categories of employment.

The government is also committed to maintaining and improving occupational injury prevention programs by ensuring the comprehensive enforcement and administration of occupational health and safety legislation. While recognising that there is considerable scope for improvement of occupational health and safety legislation, it is my intention that any review of the legislation be considered in full by the Occupational Health and Safety Council, which has representatives from government, unions and employers.

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Mr Speaker, you would be aware that the new workers compensation scheme is scheduled to begin on 1 July next year. Although the last Assembly agreed to the new compensation legislation, there is a range of important work and supporting material that needs to be developed prior to the scheduled commencement date.

In line with other initiatives already foreshadowed, the government wishes to encourage the provision of parental leave conditions, including leave for workers with family responsibilities and bereavement leave for employees not covered by awards and agreements.

Mr Speaker, this government has a strong commitment to equity, participation and strategic planning in education, planning and industrial relations policy. I have outlined the new Labor government's immediate priorities in implementing our program in these central areas. I look forward to working with all members in its implementation.

I present the following paper:

Future Directions—Education, Planning and Industrial Relations—Ministerial Statement, 13 December 2001.

I move:

That the Assembly takes note of the paper.

MRS DUNNE (4.51): I would like to touch on some of the issues raised by the minister in his statement, particularly those pertaining to planning, but I might take the liberty of venturing a bit wider. No-one denies the new government the right to implement its policies, but I would like to sound a note of caution. It is the government's right to do this, but I think they should be doing it in a way that we can be sure is workable.

I am a little uncomfortable about the sentence "No aspect of long-term planning direction will be left untouched". I hope that does not mean the dead hand of government intervention will be on everything in this town so that economic activity and social activity dry up completely. That is a word of warning. The dead hand of regulation usually manages to stifle things.

On the subject of planning, as the newly appointed chair of the Planning and Environment Committee, I welcome the opportunity to participate in a very open and consultative way. I have an open mind on a great range of these issues, and I welcome the opportunity. I give an undertaking to the minister that I will meet his request that committees think strategically. I welcome the opportunity to do so. We have a lot to contribute to the development of our community, but we need to take as much of the community with us as possible.

Touching on the statutory planning authority, I go back to the point I made that it is the government's prerogative to implement its policy. However, I sound another note of warning. Those on this side have reservations about putting the tasks of land planning and land allocation into one area. We have found over the years that there are useful checks and balances by having those separated. That is something I would encourage the minister to look at again.

On the subject of neighbourhood plans, it is an enormously adventurous task that you undertake, Minister. It will take a vast amount of resources and people's time and good will to get this to happen. At the same time I must ask that these plans, when they become plans, remain living documents. They must not be graven in stone. They must have the capacity to grow and change with the community and the desires of the people who live in Canberra.

Whilst saying that, I think that the concept is a reasonable one. Again, I add a word of caution. You say in your speech, Minister, that you have approved a three-year program of implementing neighbourhood plans. I wonder how that sits with your announced policy for a draft variation that will put a ceiling of 5 per cent on dual occupancies for six months. I am not quite sure how that sits with the three-year rolling program.

On the subject of dual occupancies, you know that we fundamentally disagree. I do not think there will be necessarily a meeting of minds on the 5 per cent. I believe—and I will say here what I have said outside—that the solution is not a mathematical formula but appropriate guidelines that take into account a whole range of things, including—and this is not an exclusive list by any means—plot ratios, setback, the type of building, the colour of the building and the plantings that go with it. These are all the things that contribute to the garden city. A mere 5 per cent mathematical allocation will not address the issues.

I move on to the Gungahlin Drive extension. I take the point that the government sees that it has a right and an unambiguous mandate to implement its policy for the western route. I put on record that I will not resile from my commitment made during the election campaign to do everything I can to protect the amenity of the people who live in Kaleen, who will be very adversely affected by noise from a road much closer to their homes and from a road which has substantial flyovers, which on the Labor Party plan will be much closer to their homes.

Moving a little away from my own brief, I would like to add a comment about the school student transport scheme. I want to put on record in this place that its removal is a retrograde step. It is a matter of great regret to me that, although the kids in Queanbeyan get a free bus ride to school, in the ACT the children of the ACT do not get a free bus ride to school if they need it. It diminishes the choice of parents in sending their children to school. I want to put it on the record that I firmly believe in the rights of parents and children to choose what school children go to, and they should not be hindered in that by the cost.

I mention the case of one family. This is an extreme case. Three children in this family travel across two zones to get to high school. Before the introduction of free school buses, it cost them \$90 per child per term. Under the current proposal put forward by the government, they will still incur a cost of \$45 per child per term, or overall a cost to the family of \$540 a year. That is an awful lot of ballet lessons, tennis lessons or something else they might otherwise be able to use to extend their children's capacity. Or it could be a bit of remedial reading for those who do not quite make it through the education system.

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MS TUCKER (4.56): I want to pick up one issue. Many subjects were covered. I do not intend to try to address all of them. One thing I am concerned about—I would like Mr Quinlan, the Treasurer, to listen to this—regards the social and community service award, the SACS award. I see a contradiction in what is being said. Yesterday, when I asked a question of Mr Stanhope in question time, I was assured that any strain on the community sector would be addressed.

We were under the impression that there was \$4 million to address the shortfall of the SACS award. What I am seeing now is that in this appropriation \$2.8 million is for the penalty rates and \$1.2 million only is to deal with the SACS award. My understanding from the community sector is that you are going to need more like \$6 million just to deal with the SACS award, forget the penalties. So even the \$4 million is not enough.

I now hear about a consultancy which was not mentioned in the answer to my question yesterday. Is the community sector going to have input into the terms of reference for that consultancy? The minister said that it will start in December and go for a few months. The Chief Minister told us yesterday that he would make sure no community service, including the environment advocacy groups, would get to the point where they cut their services because of their inability to meet their obligations under the SACS award. I do not understand how you can think they can if \$2.8 million of this appropriation is just going to the January decision about penalty rates. I want it on the record that I am concerned and I would like clarification—if not here, publicly over the next week.

MR PRATT (4.58): I would like to thank the minister for recognising at least that Canberra's public education system is effective and successful and that it ranks as one of the best in the country. That clearly is a legacy of the former government. As I have said earlier, I look forward to keeping the government honest in retaining that effective system.

I would echo the comments of my colleague Mrs Dunne about the cancellation of the free school bus scheme. I think that is a massively retrograde step. I do not know what the minister intends to do to compensate for the costs of those on the lower socioeconomic scale who do not have a pension or families which are not pension supported but have three or more children.

Lastly, I put on my shadow industrial relations hat and say that I think it is also a massively retrograde step that we will now see what would appear to be a reduction in—I hope not the entire eradication of—enterprise bargaining agreements on an agency basis. I think that will take us back in industrial relations terms.

At 5.00 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.

MS DUNDAS (5.01): I thank the minister for his statement. I am interested in a number of points he raised on education, planning and industrial relations and look forward to further development in these areas. However, I note with dismay that the minister has not yet made a statement on family and youth services, particularly services for young people, which I think is an area of great concern. I hope he does so very soon.

Question resolved in the affirmative.

Consultation on 2002-03 budget Ministerial statement

MR QUINLAN (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (5.03): Mr Speaker, I ask for leave of the Assembly to make a ministerial statement concerning consultation for the 2002-03 budget.

Leave granted.

MR QUINLAN: The Labor government has undertaken to be open and accountable in government and to genuinely consult with the people of Canberra. The budget is the primary political document of any government and as such requires consideration to be given to those it principally affects.

The budget is the key mechanism by which the government finances its services delivery to the ACT community. In so much as it does this with a limited amount of funds, the budget signals the government's spending priorities.

Labor believes that the government can and should set the budget agenda while, at the same time, whenever possible, encourage the community to offer their input. Previous attempts to introduce a form of community consultation into the draft budget process were set up in a deliberately proscriptive fashion. There is little claim to integrity when consultation is grossly undermined by the protracted politicisation that has featured so prominently in recent years.

Without doubt, the former government's experiment with budget consultation collapsed decisively early this year when the committees were requested to review a so-called draft budget. A contributing factor to the demise of the draft budget was the total absence of financial detail necessary to evaluate the territory's operating position. It was nothing short of farcical.

I emphasise that this Labor government is comfortable with the mandate it has to responsibly manage the budget agenda in respect of service delivery and service prioritisation. This government is not seeking to offload responsibility on this matter to community organisations. However, the government welcomes and seeks input from the public. This government will not treat the consultation process as a political tool but will sincerely and genuinely consider wider community views. We also recognise the desire of Assembly members to be involved in the process as far as is practical.

Therefore, as Treasurer, I formally invite standing committees to participate in the pre-budget community consultation process via a self-referral to each committee. The government will not move to compel Assembly committees to be involved in the consultation process, and we will not dictate terms of reference to each committee. Neither will this government defer the budget process to the Assembly committees. The government will also engage in the consultation process.

For those committees that choose to participate in the process, the government resolves to provide to them information they feel they require in order to fulfil their terms of reference.

I emphasise that the decision on referral and participation in the budget consultation process lies with each standing committee. The flexibility afforded by the terms of reference, self-determined,

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will allow committees sufficient scope to conduct a qualitative assessment on any issues of service delivery within the policy area.

I am not inviting committees to undertake the role of the public accounts committee or to examine the accounts of the territory relevant to their committee policy area. The invitation is for committees to engage with the community and then inform the Assembly what priorities emerge from that process.

The government's budget timetable would require committees to report by 9 April 2002.

This government believes that spending taxpayers' money is exclusively the responsibility of the executive. In this respect we intend to uphold the principles of the Westminster system and reject the politically motivated and flawed draft budget process adopted by the last government, a process which was at the time criticised by other government members.

However, we understand the wish of Assembly members to participate in the consultative process, and we recognise that policy committees may well be a more appropriate forum for community groups to express their opinion. The government hopes that committees will choose to participate. I close by reiterating that the choice is theirs. As Treasurer, I will be writing to committee chairs to invite committees to self-refer and participate in the consultation process.

I present the following paper:

Consultation for the 2002-03 Budget—Ministerial Statement, 13 December 2001.

I move:

That the Assembly takes note of the paper.

MR HUMPHRIES (Leader of the Opposition) (5.08): Mr Speaker, I will speak briefly on this matter. Obviously the government has rejected the draft budget process put in place by the former government, and that is their entitlement. The statement made by the Treasurer today is the least detailed, least helpful set of information the Assembly has to date been presented with as far as knowing where the future lies for the process of budget consultation.

I do not mind if the Treasurer or the government has an alternative process to put in place, but I do not know what process they are putting in place. Apparently committees will be able to take part in the budget process, but no mention is made in the statement of what exactly is going to be given to the committees that they do not ask for. What can the committees ask for? Obviously they can ask for nothing to do with what the government is going to do. I take it that no set of proposals or ideas or propositions will be put on the table.

Mr Quinlan: I reckon we will give them about as much information as you did last time, mate.

MR HUMPHRIES: You might not have liked what we put on the table last time, Mr Quinlan, but at least it was of more substance than this. As far as I can see—

Mr Quinlan: No it wasn't. It was a copy of the forward estimates.

MR HUMPHRIES: What is going to be put on the table here? Absolutely nothing, as far as I can tell. It is very hard to work out what we are going to get from this process. Committees are entitled to be involved in consultation but apparently on the basis of nothing.

I gather from this statement that committees will be able to meet and call for public submissions on what ought to be in the budget, but with a completely and utterly blank sheet in front of them, except for presumably the quarterly financial reports that are tabled for the existing year.

Mr Quinlan: Which is effectively where they were last year, is it not?

MR HUMPHRIES: No. There were proposals for government expenditure before the committees. There was ample information available to Assembly committees last year. As far as I can tell, there will be absolutely nothing before committees this year—not a thing, not a bean. There is no reference to any documentation or facts to be put before the committees. I would like to know how any committee is going to be able to make anything of that.

I do not mind the government having a mandate to replace the old system with something new, but I would like to see what the new system is. This statement gives us no enlightenment whatsoever on that subject. I am not surprised that it has been brought down on Thursday afternoon, not on Tuesday afternoon.

MS TUCKER (5.11): I will be interested to see exactly how consultation works. I would like to comment on what Mr Humphries has said. The consistent complaint we made during the so-called draft budget process under his government was that we were given what happened the year before and asked to invite community comment. Then we had many surprise announcements amounting to millions and millions of dollars after the fact.

I cannot see how Mr Humphries can claim to have had a process that was any better than what Mr Quinlan is proposing. The whole notion of a draft budget was challenged seriously through the processes that Mr Humphries trialled. I have said that we were happy to work with that. It seems when we asked the government to produce a much more detailed proposal so we could get a response from the community, it was not possible to do it.

It was not possible to get full information. Mr Humphries explained to the first committee looking at overall expenditure in the territory that there was not time to give the committee the fuller information that would be available closer to the time of the

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budget. It was said to us that the timeframe was not going to accommodate that amount of detail being given to a committee.

The committees ended up saying what they wanted where they saw unmet need and where they wanted to see more money spent, and the government made decisions according to their policies, as they had the right to do, and according to that input.

If Mr Quinlan is asking the community to say where they think there is unmet need and where we need to spend more money so that this information will help his government determine how best to spend the funds of the ACT, it does not sound any different to me. He is just not pretending to produce a whole lot of information that we never got. Because we never got it, we had a big fuss at the end with Jacqui Burke and Harold Hird over the definition of a draft budget. For most of us, a draft budget implies draft figures, but there were not draft figures, only the previous year's figures.

Mr Humphries: We had an encyclopaedia compared with what Labor put forward, Kerrie.

MS TUCKER: I do not know what they have done. I am just saying that what you did was no different. Maybe we need to ask the community what they think needs to happen.

MR SMYTH (5.14): It is interesting listening to the comments being thrown around about how poor the previous government's process was, but there has been no acknowledgment that it was a process that was evolving. It was a first for Australia, and I suspect it was a first for any jurisdiction around the world. We asked the people what they wanted. We charged members of the committees to take the information we gave them and to ask the community what they wanted. Some of the committees worked very hard at this and came back with suggestions from the taxpayer on how the government could spend taxpayers' money. My memory is that all but one or two of those suggestions were adopted by the then government.

We had an evolving process, a process that was in its second year and a process that was responsive. In the first year, we were criticised for the amount of work that had been done in producing a full draft budget, because suddenly the committees were overloaded. We were asked to pare it back. In the second year of the process, when we pared it back, we were criticised for not giving the sort of information members wanted. You cannot have it both ways. You cannot be critical of a full process. You cannot be critical of a process that was cut back at the request of the members involved in that process. We as a government were responsive.

The outcome we were getting from the process is what needs to be looked at. The community were able to express what they thought were the pressing needs and where they thought expenditure should go. After all, it was their money that was being expended, and we responded to their suggestions. We responded incredibly well through the then Treasurer in making sure the majority of the initiatives put forward by those committees that made the effort to put forward suggestions were met. In that, we were certainly moving towards something that could have become better and better.

What we have here today is virtually nothing. There has been a glib statement about open and honest government. Yet the government's first action is to stop an evolving process that was giving the community a say in how their money was spent.

The Treasurer has said that the committees can do it if they want to. How is that for a commitment? If you want to talk to somebody, you can. There is no commitment to real consultation or engagement with the community. I think it is a shame. I think an opportunity has been lost here. Labor were critical that we did not have a good process. Yet at the first opportunity to improve the process or rebuild the process they were critical of, the Treasurer has stumbled.

What he has offered is just dross. He has offered nothing. All he saying is: "If you want something, we will think about giving it to you." I think the process we had was much better. I certainly think it was far more productive. I certainly think the people of the ACT will see this as a real indication of Jon Stanhope's commitment to openness. At the first hurdle, that commitment falls.

Question resolved in the affirmative.

Appropriation Bill 2001-2002 (No 2)

Debate resumed from 11 December 2001, on motion by **Mr Quinlan**:

That this bill be agreed to in principle.

MR HUMPHRIES (Leader of the Opposition) (5.18): Mr Speaker, let me indicate at the outset that the opposition will support the second appropriation bill for 2001-02. There has been an increasing trend to use second and subsequent appropriations in recent years. It is my recollection that there were very few, if any, second appropriation bills before 1995. In fact, I cannot recall any before 1995. We decided in government that second appropriations were an important device to allow the Assembly to scrutinise the kinds of changes in spending priorities which occur in the life of a particular government. It is my recollection that in each of the years since second and third, even fourth, appropriation bills have been presented in this place. I think that it is a fundamental part of openness of government and I am pleased that the present government has taken that policy as well.

Mr Speaker, the measures for which funds are being appropriated in this bill fall into two categories, that is, measures which the former Liberal government promised to fund and measures which the present Labor government has promised to fund. In almost every case the funding was promised prior to the last election and, therefore, they are matters which are being delivered upon, even on the part of the former government, because of things that the present government said it would pick up from the former government. So, to that extent, the bill represents a measure towards providing for some continuity and for ensuring that the promises that are made to the community are actually honoured.

The bill funds things such as support for Kendell and Hazelton airlines to ensure that they have flights to Canberra, the establishment of a knowledge bank and a knowledge board, the funding of an economic white paper, and the funding of the nurses' EBA and cost pressures at the Canberra Hospital. Mr Speaker, those measures are supported by the Liberal opposition.

However, I wish to make just three points about the second appropriation bill. First of all, there will not be any estimates committee in place for dealing with this bill. That is a little unfortunate, but we acknowledge that it is unavoidable in the present circumstances. We would, of course, prefer to have estimates committees in general, but on this occasion we recognise that that is not possible.

Secondly, I think that it is important to look carefully at the provisions of this bill and contrast them with what has actually been said by the government about the appropriation of extra money, particularly in the health system. My colleague Mr Smyth will have a few more words to say about that. On Tuesday of this week, the Minister for Health, Mr Stanhope, talked about an extra \$18 million being appropriated for the hospital, to be spent come Thursday when the Assembly passes this bill. He did revise that figure to \$16 million when he realised that some of that money was not for the hospital. I note, in fact, that the figure is nearer to \$15 million, because that is the amount that he had to exclude—

Mr Quinlan: A bit more than the six that the boy got, though.

MR HUMPHRIES: I will come to that as well. I do not think that it is more than \$6 million, but I will come to that in a minute, Mr Quinlan. The amount will be more like \$15 million in the first year, but it is important to note that most of this money was already provided for by the former government in terms of the things which it committed to and which were provided for in forward estimates in the statement published on 2 October which was the basis for parties to look at their commitments for the previous election.

Of the \$18 million referred to in this appropriation bill, \$11.5 million had actually been provided for by the previous government in that statement of 2 October. In fact, the money which is new in this appropriation bill only amounts to about \$6.6 million. That is the case, Mr Quinlan. I will go through it for you, if you like. I am talking about the health budget. The sum of \$2.8 million for the SACS award was provided by the previous government in that statement of 2 October. About \$6 million of the \$6.6 million for the nurses' EBA was provided for. The sum of \$2.7 million was provided for cost pressures at the Canberra Hospital. You have added to that \$6 million for the Canberra Hospital. That is the advice I have had and I believe that that is the case. I invite Mr Quinlan to indicate if I have got that wrong, but that is the advice I have received.

There is also an important point to note about the way in which that money is to be expended in the outyears. I asked for details of how the outyear spending would work. Although an extra \$6 million has been provided for the Canberra Hospital at the initiative of this government, starting this financial year, it is worth noting that the \$2.7 million provided by the former government, which was built into that statement of 2 October and which was to continue for each year in the outyears indefinitely, has been, on the present estimates, discontinued from the 2003-04 financial year.

It is important for the Assembly to understand what that means. It means that there will be a reduction in the general funding available to assist in meeting cost pressures at the Canberra Hospital from the 2003-04 financial year. It is true that the extra spending on health rises marginally between 2002-03 and 2003-04—by about \$460,000—but that is

more than accounted for by the increased cost between that first year and that second year in the nurses' EBA. That means that, taking into account the money that you have quarantined for the nurses, there will be, as Mr Smyth has said clearly in this place on several occasions, a reduction in spending on the Canberra Hospital on these figures in 2003-04, because a provision made by the former government to meet cost pressures of \$2.7 million is to be discontinued.

That was denied in question time earlier this week, Mr Speaker, but I invite members to look at the figures which I have been provided with by the Treasurer, which demonstrate very clearly that that will be the case. The government has the option of changing its budget parameters in next year's budget; but, on the present set of figures, let us be under no doubt whatsoever that the base funding for the Canberra Hospital is being cut in 2003-04.

Mr Quinlan: By how much, do you think?

MR HUMPHRIES: It is being cut by \$2.7 million. That is based on your figures.

Mr Quinlan: And that is the sum total of what you have said, is it?

MR HUMPHRIES: No, it is not the sum total, Mr Quinlan, but go back and read it.

The third point I wish to make about the second appropriation bill is that it does not provide funding for all of the government's promises at the ACT election recently. It provides for only some of them; hence, we will be having a third appropriation bill later this financial year, early in the next calendar year. I look forward to seeing what the third appropriation bill does to the territory's bottom line. If, as the Treasurer is insisting in this place from outside it, there is some sort of black hole looming and there is a possibility of the territory being in deficit as from the end of this financial year, you would hardly think that pushing up your expenditure at that time is such a good idea. To take it on a personal note, if you lose your job, you do not go out and buy a new car, which is what the Treasurer is talking about.

If the Treasurer really does believe this rhetoric about a loss for us looming over the horizon, I suggest that it would be a more prudent course of action to hold back on the promises that he is making in this bill and, presumably, the third appropriation bill. The fact that he is not would suggest to me that perhaps some of what is being said about this matter is not entirely right.

MS DUNDAS (5.28): Since this bill relates to a number of different funding items, I will confine my comments to the broad categories of items to which it refers. Some of the items provided for in this bill relate to commitments made by the previous government, including tourism initiatives and the ACT's contribution to a national fire ant eradication program, and to that extent I recognise that it is reasonable for this chamber to assist in providing a smooth transition between governments.

Some of the items relate to election commitments made by the current government before election day. Some of them are worthy issues and I hope that this Assembly will discuss the implementation of some of them at a later stage. Whilst I recognise the need for government to fund these election promises, I am wary of the debate that has been

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going on about mandates as I would not want this government to think they have carte blanche to do as they will.

Mr Speaker, to comment briefly on the specific issue of nurses' pay, I believe that nurses deserve to be remunerated fairly for the extremely valuable work that they do and I was pleased to note the constructive approach taken by the new government in negotiating pay and conditions with the nurses in the ACT. Also, I am aware that hospital funding was one of Labor's election priorities and is now a major part of this appropriation bill. How can I not agree that there is an urgent need for increased funding at Canberra Hospital? I welcome this move to increase the funding, which will go some way to alleviating, in the short term, the strains under which the hospital currently operates, especially those which relate to nursing.

I recognise the fiscal limitations which constrain the government's ability to substantially increase funding in areas like health. However, appropriations on this scale will not, I believe, provide sufficient funding for the hospital in the long term. There is no question that at least this amount is necessary to repair the very worst gaps in the current funding arrangements. No-one here should be under the impression that this appropriation bill will secure first class public hospital care for Canberrans in the long term.

I also agree with the statement from the opposition yesterday that health is about more than just funding hospitals. I hope that the Minister for Health understands that and will broaden his attention to encompass holistic health care for Canberrans from birth to death and everywhere in between. In this context, I am concerned that incrementally raising the number of nursing positions and increasing rates of pay will be of limited benefit if more people do not want to enter this profession.

It is a real problem that caring professions such as nursing and teaching do not attract more people willing to take on the job. I believe that this is a general social problem. Increasing nurses' rates of pay is important, but not of itself a sufficient response. We need to show as a community, and in this Assembly, that we share and support the intrinsic value of caring.

The allocation of public funds does reflect what we value and, whether we like it or not, it also reflects various other imperatives. In this light, I do support the government's hospital funding initiatives as a necessary step in the right direction and support this appropriation bill as a whole.

MR SMYTH (5.31): Mr Speaker, it is interesting to see the government's second appropriation bill. As Mr Humphries has said, the opposition will be supporting it. As already stated, much of it is about initiatives that we began, but I cannot help sensing that the government is simply looking for a deficit. In fact, you would almost think that it is wishing for a deficit, hoping for a deficit, because of the pattern of expenditure that we are seeing through the second appropriation bill, with the prospect of a third appropriation bill being foreshadowed. If the territory goes into deficit, it will be Labor which has taken us there. I think that is the first and foremost point to be made.

The area that I would like to concentrate on primarily is health. I am pleased that Ms Dundas heard the comment yesterday about the fixation of the Health Minister—perhaps he should be called the hospital minister—simply with the hospital. The hospital will absorb as much money as we put into it, and more, and we need to put appropriate amounts of money into the hospital to make sure that Canberrans, when they need it, get the appropriate health care that they deserve and should have. None of us would object to that. But I think we need to know what we are getting for this money. Any questions that we have put to the Health Minister—sorry, the hospital minister—so far have been just brushed aside. The very thought that we should ask about what this money will buy is of no consequence. Mr Speaker, this is the magic \$6 million. This is the \$6 million that initially Mr Stanhope said would take the hospital system out of crisis. We all recall that it was all going to collapse by Christmas. Let me quote a statement by Mr Stanhope as Leader of the Opposition:

There can be no doubt without budget supplementation the hospital will be well over budget by Christmas.

First, he was saying that the hospital could not meet its debts. Then he was saying that he would give it \$6 million. But it was not to meet the existing debts; it was actually to employ more nurses, admit more inpatients and treat more people in emergency. This week we heard that it will also be used to buy oncology equipment—nobody quibbles with that—and will help to pay for an increased Comcare premium. This is an amazing \$6 million. This \$6 million is going to do more work in the hospital system than any other \$6 million in the history of ACT since self-government. I look forward to him doing that. I will pursue the subject of what that \$6 million will buy because I think people need to know exactly what they are getting from this government. I think we are already getting smoke and mirrors; we are getting glib promises that cannot possibly be fulfilled without a deficit, without pushing up the deficit that Labor's angling for.

With that in mind, the next question is: where will the government's health funding take us? It will take us to a reduction in health funding in 2003-04, and Labor know that. They have to know it because it is actually covered in their funding. In their funding promises they say that in 2001-02 there will be \$6 million and in 2002-03 there will be \$6 million. In 2003-04 it will drop to \$2.3 million, as it will in 2004-05. So what we already have is a Health Minister, or in this case a minister just for hospitals, who will oversee, I believe, the first reduction in hospital funding in the history of the ACT since self-government. I think that is a shame. What they are doing is saying, "We have a hospital in crisis. We are going to put money in to rescue it. We are going to ramp it up, we are going to buy more services, we are going to get more nurses, and then we are going to take the money away."

The money that they will take away amounts to \$2.7 million, but that would be offset by money that this government had already put into the budget. The forward estimate for 2002-03 was, in fact, an increase of \$2.1 million. The offset is that the hospital will lose \$500,000.

MR SPEAKER: Order! At least three or four separate conversations are going on while Mr Smyth is trying to make a speech. He is not doing too badly, given the circumstances, but I am sure that he will do better if you leave him to it.

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MR SMYTH: I am so pleased by your attention, Mr Speaker. So, Mr Speaker, what we have is a reduction in ACT hospital funding—I understand it to be the first reduction since self-government—being presided over by the minister for hospitals. I think it is a shame that he is taking such a limited view of the health system. What we need to do is to concentrate on the rest of the work that the department of health does in upgrading the general health of the community. All credit to Mr Quinlan for his statement yesterday that, as the minister for sport and recreation, he understands that sport and recreation contribute to the general health and wellbeing of the people of the ACT. He might tell the minister for hospitals that.

What we have, I think, is some confusion about how they are going to fund their promises. What we have, I think, is a trap that they will get into, and the people of Canberra will pay for that in 2003-04 when hospital funding goes down, unless they make additional funding available there. Of course, we need to make sure that we keep an eye on that. I will be putting questions on notice to the minister for hospitals to make sure that we find out what that \$6 million will buy, how many times they intend to spend it, and whether the hospital really was in the sort of crisis that he whipped up in the lead-up to the election for his own political purposes. But, as Mr Humphries has said, we will support this bill. It is a shame that we will not get an opportunity to have an estimates committee consider it. I will say that that is curious, because when the government was sworn in the reports were that there would not be—

MR SPEAKER: Mr Smyth, please resume your seat for a minute. We have to have a bit of silence while people are trying to speak. I cannot hear what is going on. I would appreciate it if members lowered the conversation levels or just moved back a bit from the chamber so that we can hear what is going on.

MR SMYTH: Thank you, Mr Speaker. The final point would simply be that, initially, it appeared that the crisis had dissolved because the reports were that the second appropriation was not going to occur until February, until I asked why that was so because there was a crisis. We know that there was a crisis because Mr Stanhope said in his press release that there was a crisis. It is pleasing that the funding has been brought forward to this side of Christmas to meet the supposed needs of the hospital, but I would like to know what it is that the hospital will get out of this funding.

MS TUCKER (5.38): The Greens are supporting this appropriation. I listened to Mr Smyth and Mr Humphries. I do not know whether they sought a briefing and Labor denied them a briefing, but I did seek a briefing and I have an understanding of how this money will be spent as a result of that briefing. I will be interested in Mr Quinlan's response to the concerns that Mr Humphries and Mr Smyth have raised but, as I understand it, the reason for the reduction from \$8.7 million to \$6 million is clearly because we have a series of outputs, if you like, being funded.

For example, looking at the difference between the \$8.7 million and the \$6 million, in the first year, 2001-02, there will be \$500,000 spent on systems. That is about setting up a computer system—it is a one-off—to improve the ratio between nurses and patients. It is about acuity issues which, as members are aware, have always been a factor in terms of how effectively the hospital is being run and whether the load on the nurses is appropriate. We all know that it has not been appropriate because the acuity issue has increased in hospitals significantly over the years and there has been a real argument

about whether the right number of nurses have been allocated to the particular needs of patients at any given time. There is \$500,000 there for that, for example, in 2001-02 that will not be there in the outyears, but there is no need for it then because it is for a system to be set up.

If you look at the expenditure on equipment, you will find that there is about \$3 million for that in 2001-02 and \$2.7 million in 2002-03. They are also one-off expenditures; they are not covered in the outyears. The first one for \$3 million, as I understand it, is for cancer equipment. That is going to be for introducing—

Mr Humphries: What page are you reading from, Kerrie?

MS TUCKER: That is what I got from a briefing. Did you ask for a briefing? I do not know whether it is in there. If you asked for a briefing, you would have got this information.

Mr Humphries: I did.

MS TUCKER: If you asked for a briefing and did not get it, I am interested to hear that. I do not know why you did not get one. But this is what I asked for and this is what I have come to understand. So there is an explanation for that movement from \$8.7 million to \$6 million, which is about what the money is being spent on. You will see that the expenditure on nursing continues. That is consistent throughout the four years. Obviously, that is not a one-off. The throughput money for opening beds actually increases over the years. It starts off at \$870,000 and goes up to \$1 million.. The Comcare premiums obviously are an issue. They are higher at this point because the government had not realised that there was money owing. They will go down a little bit over the next three financial years. That explains the reduction there.

I am reasonably satisfied that this bill makes sense. I understand what is being bought by this money. It is clearly something that has been needed for a long time. We have been seeing a need to improve the resourcing of the hospital and that, as far as I can understand it, is exactly what this bill is doing. That is why I am quite comfortable with supporting it. I am not saying that I think that the provision of this money is going to solve all the problems. I know that the hospital has been thrown into a reactive mode for years. I do not know that this bill is going to deal with the situation enough to allow the hospital to move into proactive management of medical and surgical health care.

There are broader issues about access to primary health care for people on low incomes—the preventive work generally, primary health care and so on—as Ms Dundas mentioned; but, in terms of the hospital, this bill seems reasonable. A lot of the rest of the appropriation, as has been covered, is to do with commitments made by the previous government as well as some initiatives of this government, including the nature conservation expenditure, which I do not think is going to be enough but is a start.

I have read the paper on the knowledge bank and the proposal there seems to be a positive move, as is the one concerning a knowledge-based economy board. There is provision for solar hot water rebates and the Downer/Woden cycle link. All those things are consistent with what Labor went to the election on and it seems reasonable to support them.

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MR STANHOPE (Chief Minister, Attorney-General, Minister for Health, Minister for Community Affairs and Minister for Women) (5.43): I will be brief, Mr Speaker. The fundamental point that the Liberal Party are missing in relation to this debate is that they lost the election. The Liberals went to the election promising an additional \$2.7 million for the Canberra Hospital, with some fluffy weasel words about what it would be used for. I think they described it as being in the event that perhaps there was some cost pressure, which really meant a budget overrun. That was the only promise that the Liberals made in relation to the hospital.

Mr Humphries: Oncology.

MR STANHOPE: It is interesting that you raise that, Mr Humphries. You promised \$2.7 million for cost pressures. We promised \$6 million a year, plus we said that we would pick up the \$2.7 million that you had indicated you were prepared to provide for cost pressures.

Mr Humphries: For two years only.

MR STANHOPE: That is right, for two years only, and we said that. We said it in our costing document. We said it in the election campaign. We stood up and said what we would do, as Ms Tucker has just said. We said to the people of Canberra in the election campaign that we would give the Canberra Hospital \$8.7 million this year, \$8.7 million next year, \$6 million the year after and \$6 million the year after.

Mr Humphries: So it is a cut.

MR STANHOPE: It is a promise. The party that lost the election is now upbraiding the government because it is not prepared to break an election promise. That is what they are saying now. They are saying, "Are you not going to break that promise that you made in the campaign?" We are not going to break the promises that led the people of Canberra to prefer us dramatically over this other mob, this incompetent mob, the mob whom the people of Canberra have now voted on, have given a tick on. The report card is in. You are hopeless. You have failed. You are incompetent. That is what the people of Canberra think about you. Yet you come in here now and upbraid us for having the temerity not to break our election promises.

We are committing to the Canberra Hospital \$6 million a year more than you were prepared to do. We are doing that. We are doing it in this bill. There will be \$8.7 million of additional funds this year. Out of those funds, we are going to buy a multileaf collimator, a vital piece of equipment for radiation oncology, a piece of equipment which, because of your incompetence and lack of care, you did not provide, which has resulted in eight-week waiting lists for people with cancer. People with cancer are now waiting eight weeks as a result of your incompetence and your lack of care and you upbraid us for providing \$2.7 million over and above the \$6 million that we initially promised to provide.

That is what we are talking about here. You actually dare to attack and upbraid us because we are making an injection this year and next year for capital equipment. As Ms Tucker said, we are buying this vital equipment for radiation oncology to ensure that

the people with cancer in this town get the care that they need. Mrs Cross thinks it is funny that people with cancer are not getting the care that they need. Just accept that what we have done is met our commitment to a \$6 million boost to the Canberra Hospital's recurrent funding, and we will be providing this year an additional \$2.7 million over and above that to buy vital equipment for radiation oncology, and we will be repeating the dose next year. Because we are responsible, we said that we would not persist beyond that because of the way in which you have run down the books in the ACT, more of which we will hear over the next few weeks.

MR QUINLAN (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (5.48), in reply: This is the second appropriation bill for the current financial year and, as everybody is aware, there will be a third. This one was put together as a minimalist bill, covering those things that we anticipated the Assembly would have no problem with and would recognise as commitments that, in large part, had already been made by the previous government and accepted by us. I would like to thank the Assembly for the rapid passage of this bill. It is a commonsense outcome.

If I could just make some reference to the so-called \$2.7 million cut. At the death knell, just before the election, the Liberal government did say that it would give another \$2.7 million. It was not provided for, as Mr Humphries massaged the terminology; there was just a commitment made. It was a commitment made based on a revelation that there had been cost overruns at the hospital, which we put down to lousy management on the part of the Liberal government at the time, even though the now departed Health Minister was claiming that there had been something like a 10 per cent increase in hospital funding, which was also totally misleading. We rather thought that it would be sensible not to allow that increase in money indefinitely, but to put that money in for at least 18 months; so we have put in \$5.2 million over our \$6 million per year in order that we can take a look at the cost levels. Yes, that \$2.7 million is not committed to go beyond the next couple of years. That is because we may be able to clean up some of the mess you left.

I hear Mr Smyth going on with stuff about six and six making six; I do not know how. If you look in there, Mr Smyth, you will find \$14 million or so. The standard modus operandi of the other side, which does not do members opposite a lot of credit, is, even though it is not correct and even though it is misinforming the public, to keep chanting about cuts.

Mr Humphries: You would never have done that, would you, Ted?

MR QUINLAN: Not to the extent that you would, Gary, but I have a bit more self-respect, I have to say.

Mention was made of a looming deficit and of looking for a deficit. Mr Humphries made the analogy that if you lose your job, you do not go out and buy a car. I know that Mr Humphries did not show a lot of enthusiasm for the role of Treasurer, but if he had listened to what was being said, he would have been hearing that we look like taking a hit this year. We have not lost our job; we have just lost some of our wealth. This is going to happen once, but it does serve to remind us how little you blokes over there understand about financial management. I would have to say that I have observed so

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far—I hope to be surprised by some of the newer members—that that side of the house appears to be totally bereft of basic financial understanding.

If, as Mr Smyth claims, we are just looking for a deficit and are, in fact, looking for something that does not exist, tell me that we have not, as I stand here, lost substantially in terms of the value of our investments. Tell me that there has not been losses by TransACT in its formative years that will not follow through Actew and to the dividends of the ACT. Tell me that CTEC has not made losses on some of the events that it has run to date. These are facts. These are on the board as we speak. If we are looking for a deficit, Mr Smyth, we have not had to look very far.

I do thank you for the rapid passage of this bill. To do otherwise would not be common sense. We do need to have most of these commitments on foot fairly promptly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Financial Management Amendment Bill 2001 (No 4)

Debate resumed from 11 December 2001, on motion by **Mr Quinlan**:

That this bill be agreed to in principle.

MR HUMPHRIES (Leader of the Opposition) (5.54): Mr Speaker, I will be brief about this bill. The opposition will support the bill. It contains essentially two provisions. One is the provision that amplifies the sort of information which is required to be tabled in this place when a supplementary appropriation bill is brought forward. Given that, as I said in my previous remarks, we are using these provisions or these devices more frequently, it would make sense to make sure that the information provided to members is as helpful as possible, so it makes sense to amplify that information. That is obviously going to make it easier for members to read second appropriation documents when they are tabled. I assume that the supplementary budget paper tabled in respect of the previous bill actually conforms with the new requirements, even though that would be anticipating the passage of the bill. Mr Quinlan does not know, but I assume that it does; anyway, we will see.

Mr Speaker, the second provision deals with what the Auditor-General has identified as a discrepancy between the practice with respect to the Treasurer's Advance and the use of supplementary appropriations to appropriate more money. Without going into the details of what the discrepancy might be, the government has made a decision to align the law with practice, rather than practice with the law. I think it is a sensible decision to have made and I would therefore support the amendments which have come forward to effect that change to the law.

MS TUCKER (5.56): The Greens are also supporting this bill. As Mr Humphries explained, the first part clarifies the information that should be provided in the papers that accompany a supplementary appropriation bill, because at present the Financial Management Act does not state what information needs to be provided to the Assembly. Also, where a revised financial statement for an affected department is not available because of previous changes that have not yet been incorporated into that department's budget—for example, because of changes to the administrative arrangements—the government must provide the revised financial statement to the Assembly as soon as possible. The second part amends the provisions relating to the Treasurer's Advance to address comments made by the Auditor-General, as Mr Humphries explained. I will not repeat that to the Assembly.

MR QUINLAN (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (5.57), in reply: I thank members for their support for the bill.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Clauses 1 to 3, by leave, taken together and agreed to.

Clause 4.

MS DUNDAS (5.58): I move amendment No 1 circulated in my name [*see schedule 1 at page 287*].

I do understand the reasons that this bill has been introduced. There are a number of inconsistencies within the current legislation that make the job of good financial management difficult for both the government and the Department of Treasury. However, I believe that the government's proposed legislation goes beyond simply fixing the problem and will result in reduced financial accountability of the government to this Assembly. Also, this bill seems to pre-empt a wider review of the Financial Management Act. I understand from a recent Auditor-General's report that there still appears to be a number of issues that are unresolved in the FMA. I hope that this amendment will not serve to delay or replace an intensive and thorough review of the FMA.

Mr Speaker, I recognise that the requirement of presenting the Assembly with a final budgeted financial statement before passing a supplementary appropriation may be difficult for an incoming government. When there has been a large reorganisation of ministries and the Assembly is considering appropriations covering diverse areas of government, I can understand that the Treasury may be having a hard time keeping up. However, this does not mean that governments should require this leeway every time they present an appropriation bill. I certainly hope that the government does not envisage not being able to fully cost and prepare supplementary budgets at any other time during the next three years, so they will not need any legislation enabling them not to do so.

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The Australian Democrats have always sought to hold governments accountable to parliaments and, through them, the people. I see these changes to secondary appropriations as watering down the government's responsibilities to keep this Assembly informed of the financial impact of its appropriations. In general, if the government does not know the full impacts of its decisions, it raises questions about whether it should be appropriating at all. For this reason, I am proposing that governments may appropriate additional moneys without complete supplementary budget papers only in the six months after an election. After this time, there should be sufficient financial certainty within departments for the full budgetary details to be published.

MR QUINLAN (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (6.00): The government cannot accept this amendment because there may well be occasions when we will want to put forward an appropriation bill and there just is not the time to include all of the information through to the point of producing financial statements. One example that I can think of is the Ansett collapse earlier this year. If there was not the capacity in the budget for the government to have spent the money on Hazelton or Kendell through CTEC, there would have been a need to put forward an appropriation bill in fairly short order, and it would have gone through this house.

Under the Financial Management Act as it will be after this bill is passed, the information would be of the order of the supplementary budget statements that were issued for the immediate passed bill, Appropriation Bill 2001-2002 (No 2). I can assure Mr Humphries that it does conform with the standards being devised by this bill. I think that that gives a fairly clear picture of what is going on without actually trying to produce balance sheets and cash flow statements, with the concomitant catch-up of all the events that have happened outside the particular event that might have precipitated the new appropriation bill.

Another example might be, and this house might be facing it in the near future, some appropriation in relation to insurance, because we are seeing now something of a meltdown in the insurance industry. I have been advised even as late as today that we are facing further problems with insurance company collapse.

The idea behind the structure in this part of the Financial Management Act is to allow full information to be provided, but to be provided in a practical manner. There may be occasions when an appropriation bill will have to be brought through in reasonably quick time. The full information necessary to make the decision will be available, but just not the rehashed statements, which will then be, according to further provisions, produced as soon as practicable. To take a literal legal interpretation of that, I am assuming that if it is practicable to present those statements with the bill, then they have to be produced with the bill. I do not think the government can accept that amendment.

MR HUMPHRIES (Leader of the Opposition) (6.01): Mr Speaker, I think the essence of the amendment which Ms Dundas has brought forward is: "I don't trust the bastards," which it is a very sound principle indeed, as a rule.

Mr Corbell: Are you an exception to the rule?

MR HUMPHRIES: Of course; it goes without saying, Mr Corbell. Mr Speaker, I do not think we need to trust the bastards. I think that we should look to the circumstances in which future supplementary appropriations are produced. If one is produced that does not provide the information which members seek, it is not possible for an estimates committee to be held and the Assembly as a whole feels that it is being taken for a ride, I think it would be appropriate to come back to this amendment. I indicate to Ms Dundas that we would support it if there was any evidence that information was being kept back.

At the moment, though, there is a point to the argument that it would be a burden to impose this condition in all circumstances as it may be that at very short notice there will be a need for such a bill to be passed. In those circumstances, we will not support the amendment.

Amendment negatived.

Clause 4 agreed to.

Clause 5 agreed to.

Proposed new clause 6.

MS DUNDAS (6.05): I move amendment No 2 circulated in my name [*see schedule 1 at page 287*].

Mr Speaker, this amendment relates to the Treasurer's Advance. I do take the point that the current regime creates problems for the Treasurer in using this advance. However, once again, the Democrats believe that this bill goes further than necessary in fixing a problem.

I have been advised that the Treasurer's Advance may total more than \$15 million, an amount that governments need to be held to account for. Expenditure under the Treasurer's Advance is discretionary and currently no details of such expenditure need to be given to the Assembly until after the end of the financial year. Because of this, I believe that, if the government wishes to pass a supplementary appropriation, it should first table details of the use of the Treasurer's Advance in the intervening period. This will allow the Assembly to form a clear picture of the government's financial management when it is considering further appropriations. I commend this amendment to the Assembly and hope that members can see the benefits of such a process for accountability.

MR QUINLAN (Treasurer, Minister for Economic Development, Business and Tourism, Minister for Sport, Racing and Gaming and Minister for Police, Emergency Services and Corrections) (6.06): Mr Speaker, the government has no problem with accepting this amendment.

MR HUMPHRIES (Leader of the Opposition) (6.07): Similarly, the opposition supports the amendment. I think that there was an argument in regard to subsequent appropriation bills about how much was being put into the second appropriation, how much was being put into the Treasurer's Advance, and why we did not have more information about that. It seems that this might solve that problem. If it does not, we can come back and do

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something more extensive, but for the time being it seems to be a sensible way for venting information available to the Assembly. It is worth noting that, particularly if an appropriation bill occurs before April or May, it is fairly unlikely that many firm decisions will have been made to take money from the Treasurer's Advance, so we might not get much information out of this provision in the early part of the financial year, but it is worth having on the table.

Proposed new clause 6 agreed to.

Remainder of bill, by leave, taken as a whole and agreed to.

Bill, as amended, agreed to.

Drugs of Dependence Amendment Bill 2001 (No 2)

Debate resumed from 11 December 2001, on motion by **Mr Stanhope**:

That this bill be agreed to in principle.

MR SMYTH (6.08): Mr Speaker, the government will be supporting this bill. However, I want to put on the record that we do have some concerns about the serious nature of this matter, first, on behalf of those who may need access to these drugs, and, second, because of the very serious nature of the drugs themselves. I am not aware of why there is this urgency, because it has never been raised with me, and I spoke to the members of the previous government—

Mr Pratt: Old habits.

Mrs Cross: Don't laugh too loudly, or he will be upset.

Mr Hargreaves: How about the opposition? Is the opposition going to support it?

MR SPEAKER: Order. Why is it, Mr Smyth, that everybody wants to talk when you want to talk?

MR SMYTH: Mr Speaker, what can I say? It is clear that old habits die very hard, and they just do not like what I have to say.

MR SPEAKER: You have the floor, Mr Smyth.

MR SMYTH: Notwithstanding that, I have spoken to the Chief Minister and asked him whether he will report back to the Assembly regularly on how many times this phone-in service is accessed, and whether we might actually look at it as an Assembly to make sure that the system is not being abused.

The other thing that does worry me is the lack of consultation taking place. I have actually had some correspondence from a constituent who has some concerns about the bill, its effect on users, and its effect on the staff and the practitioners who have to use it. With that in mind, the Chief Minister did agree that he would report back regularly to the

Assembly, to make sure that we are all aware of what it is that is happening here. With that in mind, the government will support the bill.

MR SPEAKER: Thank you, Mr Smyth. So will the opposition. That's good.

MR SMYTH: Old habits die hard.

MS DUNDAS (6.09): I rise to briefly explain my support for this bill. The proposed urgent amendments to the Drugs of Dependence Act will help prevent delays in providing approved drugs to those who have been medically assessed as being in need of them, delays which have become pronounced over the holiday season. I believe that these amendments will be able to achieve this without overly compromising the system of checking and accountability that is already in place.

As I understand it, the office of the Chief Health Officer has, from time to time, issued approvals for doctors over the phone in order to achieve the same flexibility that this bill aims to introduce. In this sense, these amendments will legally recognise practices that have already been adopted by the department and health professionals, in response to the needs of patients and doctors. The issuing of approvals in this more flexible manner is still subject to rigorous guidelines, and the codes of medical practice, but recognises that situations of urgent medical need require a timely response.

It would be preferable, Mr Speaker, for the legislation developed in this Assembly to guide, rather than respond to, practice. However, in cases such as this, where practice has developed within a responsible medical framework to meet the needs of the community, I believe that legislative amendments are sometimes warranted. It is for these reasons that the Democrats will be supporting this bill, to facilitate its rapid passage through this Assembly.

MR STANHOPE (Chief Minister, Attorney-General, Minister for Health, Minister for Community Affairs and Minister for Women) (6.11), in reply: I thank members of the Assembly for their support. Indeed, the approach of the government is very much the approach that has just been outlined by Ms Dundas. In fact, as Ms Dundas has explained, what this particular amendment achieves is to regularise a practice that has developed in relation to the prescription of some drugs of dependence. It is deemed appropriate by the government, and by the department of health, that we do regularise it.

That decision was made on the basis of advice from the ACT Government Solicitor, in relation to the practice that had developed whereby some drugs of dependence—in circumstances of significant pressure or in other special circumstances—were prescribed by telephone. Just for the information of members, the circumstances that we are talking about concern the prescription of morphine for pain relief, primarily for people who are living with cancer, or methadone. I am advised that these prescriptions are almost invariably for morphine for cancer sufferers, methadone for people with a drug addiction and, in some instances, amphetamines, for children with attention deficit disorder.

There are circumstances in which it is very difficult for a client to make contact with a medical practitioner in the ordinary course of events, even when the client is on a long course of the drug, as they always are in each of the examples I have given. In those circumstances, if a supply of one of those drugs of dependence does end unexpectedly,

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or at a time when the client has not noticed and is caught short, the consequences can be very serious. The simple, humane purpose of being able to prescribe by telephone is to prevent this.

As Ms Dundas said, the process is rigorous, it is tightly controlled, it must be formalised immediately in writing—after it is done by telephone, the prescription is made to the ACT Chief Pharmacist—and it is not often used. However, as Mr Smyth says, we are indeed dealing with drugs of dependence. We are talking about morphine, we are talking about amphetamines, we are talking about the prescription of methadone, and Mr Smyth is quite right to express his concerns about this. I would be more than happy to ensure that I am regularly apprised of how the scheme is working, and to report as appropriate. I thank the members for their support.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

ACTION Authority Amendment Bill 2001

Debate resumed from 11 December 2001, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MRS CROSS (6.14): What an interesting first week it has been for me, Mr Speaker. I did not think I would have a wish list that would come true, but certainly this week's has been satisfied in part. Santa said, "Helen, what is it you want for Christmas?" I said, "Santa, what I would like is to have the new government admit that some of the things that the Liberal government put in place were good, as the information technology and education statistics prove."

Mr Corbell: On a point of order, Mr Speaker: what is the relevance of this? I appreciate that it is nearly the end of this last sitting.

Mr Smyth: It is relevant to Christmas.

Mr Corbell: I realise that this is the last sitting, and I realise that it is Christmas, but if we could proceed with the debate on this bill, then I think Mrs Cross could make those other comments in the adjournment debate, which would be more appropriate.

MR SPEAKER: Thank you, Mr Corbell. I sense that Mrs Cross was just about to come to the point.

MRS CROSS: I was, actually, Mr Speaker. Thank you for that. It is a shame that the Chief Minister is not here, because Mr Hargreaves could teach him a lot about humour. I admire Mr Hargreaves for his humour. Perhaps it will take you three years to get him to lighten up a little bit.

On the ACTION Authority Amendment Bill, I would like to say the following. The opposition is happy to support the bill. It is nice that we have had bipartisan support on a number of things. Events over the past couple of years have demonstrated that employees' entitlements are not as safe as we once thought. We believe job security is of paramount importance, and we are happy to support legislative action that moves positively in this direction. As an opposition, we will not oppose for opposition's sake and, on this side of the house, we are happy to support sound legislation that is demonstrably in the public interest.

Canberra has a long tradition of public service, and governments of all persuasions have been ably served at both Commonwealth and ACT levels. An efficient and effective public service depends, to a very large extent, on the recognition of professionalism, and on appropriate remuneration and conditions. We see these amendments as being strongly in the interests of both those employees directly affected, and the wider community whom they serve.

I would like to thank you, Mr Speaker, for doing a good job this week, and wish everyone a merry Christmas.

MR SPEAKER: Thank you, Mrs Cross. I am overwhelmed. That is the first time a Liberal has ever said that.

MR CORBELL (Minister for Education, Youth and Family Services, Minister for Planning and Minister for Industrial Relations) (6.17), in reply: I thank members for their support for this bill. It is important that this bill is passed prior to the end of this year, so that the new authority can commence on 1 January next year. In that context, I thank you for your preparedness to address it in a short time frame.

Question resolved in the affirmative.

Bill agreed in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Adjournment

Motion (by **Mr Wood**) proposed:

That the Assembly do now adjourn.

Valedictory

MR HUMPHRIES (Leader of the Opposition) (6.18): Mr Speaker, I think we saw earlier today the clearest possible indication, during remarks made by Mr Wood, of divine disapproval of this place. Indeed, it may even have been an indication that perhaps we have sinned in some way, collectively, and perhaps an indication that the almighty does not entirely approve of the result of the last ACT election.

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Of course, there must have been some disapproval, on his part, of my government's performance, otherwise we would still be in government. It does occur to me that perhaps I have been praying to the wrong saints in recent years, as I have sought some kind of support for the things that I have done in this place. My research has led me, this Christmas, to suggest to members the right people to whom their prayers of intercession might be directed, in the course of the next year or so, in order to get the right results in future.

Some of the suggestions I make are rather obvious. Mr Corbell and Ms Dundas may wish to entreaty St Aloysius Gonzaga, the patron saint of youth. Mrs Dunne will probably already be familiar with St Catherine of Siena, the patron saint of Italy; and Mrs Cross, St Andrew, the former patron saint of Greece. Alternatively, she may wish to try St Helen, whose iconographic emblem is a cross.

Mr Quinlan may wish to find help in unearthing his deficit by contacting St Matthew, the patron saint of accountants. For Ms Tucker and Ms Gallagher: I recommend St Francis of Paola. In light of their pirate-like activity on Lake Tuggeranong a couple of weeks ago, they should get in touch with this, the patron saint of people in trouble at sea.

Mr Pratt may already be familiar with the patron saint of prisoners of war, that is, St Leonard. To Mr Stanhope: I commend St Christina: this is the saint who was martyred by being tied to a millstone and thrown into a lake, then burnt, tortured with knives and tongs, and shot with burning arrows. The modern-day equivalent of this experience is to appoint yourself Chief Minister, Attorney-General, and Minister for Health in a four-member Labor government.

To the senior members of this place, Mr Wood and Mr Cornwell: I suggest prayers to St Armel, who is the saint to whom you pray to cure fever, gout, colic and rheumatism. Better to be safe than sorry, I always say. To Ms MacDonald: I commend St Martin de Porres, the patron saint of social justice. Mr Speaker, since the revisionism of the former government's record has commenced, my colleagues Mr Smyth and Mr Stefaniak and I have all been fervently praying to St Raymond Nonnatus, the patron saint of people falsely accused.

Finally, Mr Speaker, to you and Mr Hargreaves: I urge the intercession of St Anthony of Padua. St Anthony is the saint you get in touch with when you lose something. Of course, we are all entitled in this place to pray to Sir Thomas More, the officially designated patron saint of politicians, as well as to St Gabriel, patron saint of people who appear on television.

Mr Speaker, whether we pray to him or not, I hope St Nicholas visits us all this Christmas, and gives us at least a little bit of what we want. I wish all in this chamber, after a fairly tumultuous year, a safe, enjoyable and, above all, a quiet Christmas.

Death of Mr David Branson

MS TUCKER (6.22): I want to speak briefly about the death of David Branson, and to speak of him, rather than of his death, because we obviously will not be having a condolence motion, although I think it would have been quite appropriate because of

his stature in the Canberra community. I read in the paper that some person thought he was the mayor of the underbelly of Canberra. I am not quite sure what “underbelly” means, but I feel that he was part of a cultural group in the Canberra community, which, if anyone has ever doubted that Canberra has soul, would persuade doubters otherwise.

David was very much part of that, the group in our community who are the artists, the musicians, the actors, and the passionate people who express themselves through their amazing creativity and gifts. I also saw him alluded to as, I think, a big animal, or a great animal, in the paper, which also has meaning for me, because he was such a big person. He always had such a wonderful capacity to express whatever he was feeling, even if it was dark, which it was on occasions.

His theatre was so often big. His Splinters work with the fire was huge. I can remember going to those events: you had to get into a boat and go across the lake to one of them. It was on one of those little islands in the lake.

He always displayed such courage in his work. He was also a very talented musician and brought his music to my life, and to my political work in the support he gave the Greens. He also supported me personally, and my children had a long association with him. It was very difficult to tell them about his death, because he was very important to them in their development, through theatre.

I guess that, in this place, we do have a lot of discussions about what it is we can bring to the lives of children to help them love themselves, and I think David, the Canberra Youth Theatre, and the work of those people were very important to my kids’ lives. They were also important to lots of other people’s lives in Canberra, including the lives of lots of young people, often young people whom no-one else even liked. I noticed that about David and the Youth Theatre: in fact, one mother said to me, “The only place my daughter is liked is at Youth Theatre,” and that for me was such a gift and such a picture of what those people achieved.

Roland, who works with me, is part of that. He is away overseas at the moment, and it has also been very difficult for him to learn of the loss of David, not being here, and not being with all the people that he loves and sharing in the grief. I want to put on the record that I think David Branson was a very special person for the Canberra community.

Death of Mr David Branson

MS DUNDAS (6.26): I also wish to mention David Branson and thank Kerrie for her words. I did not know him well, but I did spend some time in the arts community in the ACT, and you cannot do that and not know of David, and not know of his great passion. I am sure that his loss is being felt, not just within the arts community but personally by many people in the ACT and across Australia. I know his loss will be keenly felt.

On a lighter note, Mr Speaker, after this first week of sitting I wish to take this opportunity to thank my staff, Llewellyn and Merri, for their support, especially over this week—they have been invaluable. I also wish to thank my fellow members. I am proud that, in this first week, my first sitting week, I have helped to make laws and amend them to achieve greater accountability. I look forward to working with all of the members in the new year. Thank you.

Release of Mr Peter Bunch and Ms Diana Thomas

MR PRATT (6.27): I wish to put on the record my great relief and gratitude—and the Assembly might like to review this as well—at the release and safe return to Australia of Peter Bunch and Diana Thomas, the two Australians held captive in Kabul, who are remarkable and extremely brave people. As do many aid workers representing this country around the world, they put themselves in harm's way.

Having met these people a couple of days ago, I was very impressed with their strength of character, clarity of thought and, more importantly, their desire to try to go back into Afghanistan to continue that good work. As a nation, I hope we can support them, and hopefully provide assistance to that sorry country and, therefore, to the development of civil society. However, Bunch and Thomas require a salute.

Valedictory Death of Mr David Branson

MR WOOD (Minister for Urban Services and Minister for the Arts) (6.29), in reply: I am closing the debate, but first of all, on behalf of this side of the house, thanks to all those who support us and keep us all going. Best wishes to everybody over the Christmas season.

I wish to finish on a more sombre note, because David Branson was a person to remember. He was well known in Canberra as a leading theatre director, actor and musician. His passing will leave a huge gap in the local arts community, and I offer condolences to both his family and his many arts colleagues.

David was born in Melbourne, but spent most of his life in Canberra. In the late eighties and early nineties he was co-founder and artistic director of Splinters Theatre of Spectacle, one of the most innovative groups in Canberra's quite illustrious history of arts practice. As its name suggests, Splinters focused on spectacular events that involved huge casts, exceptional locations and lots of fire and pyrotechnics. With provocative titles such as *Gumboot Full of Blood* and *Cathedral of Flesh*, and stunning locations, Splinters and David Branson were never far from the media spotlight.

His more conventional theatre work, as both director and actor, was primarily with CIA, Culturally Innovative Arts, of which he was also artistic director. CIA was renowned for its focus on new Australian playwrights, including later award winners such as Daniel Keene and Christos Tsiolkas. This original work also allowed David to return to his other spiritual home, La Mama Theatre, in Melbourne.

David was also an accomplished musician, and could often be found at Tilley's Cafe, playing his violin with local bands such as the Gadflys. He had recently joined the new music theatre group, Mickelangelo and the Black Sea Gentlemen.

Much of David's work in recent years has been in the field of opera, particularly with local company, Stopera. Just two weeks ago, I attended a very enjoyable Stopera production of *Viva Verdi*, which was directed by David.

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David won many awards for his work, being twice short-listed for the Canberra Artist of the Year award: as well, four separate productions that he directed for CIA and Stopera won Canberra Critics Circle awards. However, it was David's energy, his generous encouragement of other artists, and of arts practice of any kind, and his irrepressible drive to try new things that will be the most greatly missed.

The arts are best when they involve passion, vision and risk, and, in losing David Branson, Canberra and Australia have lost an artist who truly embodied these qualities. He will be sorely missed. Tragically, Mickelangelo and the Black Sea Gentlemen were to open a new show at the Street Theatre tonight. The show will go on, but a little changed and somewhat delayed.

Question resolved in the affirmative.

The Assembly adjourned at 6.31 pm until Tuesday, 19 February 2002, at 10.30 am.

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Schedules of amendments

Schedule 1

Financial Management Amendment Bill 2001 (No 4)

Amendments circulated by Ms Dundas

1

Clause 4

Proposed new subsection 13 (3)

Page 3 line 1—

Omit the subsection, substitute the following subsection:

(3) For subsection (2) (b), if the Bill is presented within 6 months after an election for the Legislative Assembly, the supplementary budget papers need not include an original or final budgeted financial statement (**a *budgeted statement***) for an affected department.

2

New clause 6

Page 3 line 26—

After clause 5, insert the following new clause:

6 New section 18 (1A)

insert

(1A) The Treasurer must, at the time of presentation of a Bill for an Appropriation Act other than the first Appropriation Act relating to a financial year, table details of all expenditure authorised under subsection (1) since the passing of the first Appropriation Act.

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Answers to questions

Junk mail

(Question No 1)

Mr Cornwell asked the Minister for Urban Services, upon notice:

In relation to junk mail:

(1) what options exist for residents with 'NO JUNK MAIL' signs who still receive hand-delivered advertising material.

Mr Stanhope: The answer to the member's question is as follows:

As the Attorney General and having responsibility for Fair Trading, the answer to the Member's question is as follows:

(1) The following are the options that exist for residents with 'NO JUNK MAIL' signs who still receive hand-delivered advertising material:

a) Residents themselves may contact the business that is having the advertising material delivered and ask them to remove their name and address from their delivery lists.

b) Residents may contact the Office of Fair Trading which will, on a resident's behalf, seek the cooperation of the business which is having advertising material delivered, to have the resident's name and address removed from their delivery lists.

c) Residents may contact various marketing information companies that work for consumers, at no cost to them, to stop the delivery of junk mail.

d) Residents may consider taking civil action against the company delivering the advertising material for trespass to land. For this action to succeed, however, the resident must show that the business delivering the advertising material did not have an implied licence to enter the property.

**Toilets in public areas
(Question No 2)**

Mr Cornwell asked the Minister for Urban Services, upon notice:

In relation to provision of toilets in public areas including suburban shopping centres and specifically Red Hill and Campbell.

(1) In relation to public toilets in suburban shopping centres will public toilets be provided in suburban shopping centres, such as Campbell and Red Hill, where such facilities currently do not exist.

Mr Wood: The answer to the member's question is as follows:

(1) There is no current proposal to build toilets at Red Hill and Campbell Shopping Centres.

New toilet facilities are only constructed in open-space district parks. In new larger commercial developments, or as commercial areas are redeveloped, it is a development condition that public-access toilets be provided and maintained by the body corporate managers of the centre.

Toilets are however, provided in regional shopping centres as the number and variety of shops caters for a larger clientele from a broader catchment area. Although public-access toilets are generally not found in smaller shopping centres, some individual retailers such as restaurateurs do supply such facilities because they require them for the type of business they run.

**Woden town centre—litter
(Question No 3)**

Mr Cornwell asked the Minister for Urban Services, upon notice:

In relation to litter around Woden town Centre.

- (1) What steps are being taken to reduce the amount of litter around the Woden Town Centre, particularly the open area between Easty and Cavanaugh Streets adjacent to the cemetery; and;
- (2) Will more litter bins be placed in these areas to encourage responsible disposal of rubbish.

Mr Wood: The answer to the member's questions is as follows:

(1) With regard to the litter removal around Woden Shopping Centre precincts, the precinct is cleaned daily. I am advised that a Canberra Urban Parks and Places Officer inspected the area on Monday 17 December 2001 and found the area to be generally in a clean condition. However, the open space area between Easty and Cavanaugh Streets adjacent to the Cemetery was in need of cleaning and was cleaned on 20 December 2001 and the Contractor has been reminded of his responsibilities in regard to this area.

(2) In relation to litter removal in urban as well as national parks, it has long been accepted that people using neighbourhood parks and other public places are responsible for the collection and disposal of their own litter, including dog faeces. In most instances, this means that people would take their litter home for either composting or hygienic disposal in their wheeled bins. Litter bins are, however, provided in high-use public parks where the number of visitors involved exacerbates problems with litter. Canberra Urban Parks and Places will also consider providing bins for litter in other public places where specific problem sites become apparent. It is considered that there are enough litter bins currently in the Woden Town Centre precinct, and the area between Easty and Cavanaugh Streets is considered low use, however Canberra Urban Parks and Places will monitor the area for littering in the coming months.

**Aged-care facilities
(Question No 4)**

Mr Cornwell asked the Minister for Health, upon notice, on 12 December 2001:

In relation to facilities for the aged:

(1) By region:

- (a) How many aged persons units exist;
- (b) How many people do these units accommodate; and
- (c) What is the (i) waiting list number and (ii) expected wait, for such accommodation.

(2) By region, how many (a) public and (b) private (i) nursing home beds and (ii) respite beds are there.

(3) By region, are there any figures on (a) waiting lists for nursing home beds by region, or (b) in total and if so, (c) what are they.

(4) How many dementia designated beds are there.

(5) Is there a waiting list for these.

(6) What are the current (a) regional and (b) total waiting list figures.

(7) By region, how many (a) residential aged care units are there and (b) what are the waiting list figures for residential aged care units.

Mr Stanhope: The answer to the member's question is:

In relation to facilities for the aged:

1. By region:

(a) How many aged persons units exist;

In the **Belconnen** area there are 169 one bedroom units and 75 two bedroom units specifically for aged persons.

In the **City** area there are 268 one bedroom units and 173 two bedroom units specifically for aged persons.

In the **Gungahlin** area there are 10 one bedroom units and 9 two bedroom units specifically for aged persons.

In the **Tuggeranong** area there are 86 one bedroom units and 39 two bedroom units specifically for aged persons.

In the **Weston Creek** area there are 119 one bedroom units and 17 two bedroom units specifically for aged persons.

In **Woden** there are 253 one bedroom units and 118 one bedroom units.

It should be noted that these figures only relate to the provision of aged persons units by the public housing program. There are other properties, particularly accessible and modified units that are also suitable for accommodation for the aged in both the public and private housing sectors.

(b) How many people do these units accommodate;

The number of people who are accommodated in these units is difficult to determine as some tenants have been allocated a two bedroom unit to accommodate a part time carer. This carer may not reside in the unit full time.

(c) What is the

(i) waiting list number;

The waiting list for aged persons units includes new applications and transfer applications:

New applications for one bedroom	99
New applications for two bedroom	53
Transfer applications for one bedroom	102
Transfer applications for two bedroom	54

Applicants are able to select the area in which they would prefer to reside, some clients have stated more than one preference:

Belconnen preferred	46
City preferred	91
Gungahlin preferred	35
Tuggeranong preferred	74
Weston Creek preferred	64
Woden preferred	110

(ii) expected wait, for such accommodation.

The average time from registration to allocation
(based on the period 30 June 2001-30 Nov 2001):

Belconnen	one bedroom 9.1 months	two bedroom 20.6 months
City	one bedroom 7.7 months	two bedroom 8.5 months
Gungahlin	one bedroom 28.9 months	
Tuggeranong	one bedroom 4.3 months	two bedroom 13.0 months
Weston Creek	one bedroom 5.0 months	two bedroom 1.0 month
Woden	one bedroom 20.8 months	two bedroom 0.4 months

The government is continually acquiring suitable accommodation for older people in the ACT. Funds are put aside to allow the purchase of suitable property when it becomes available. The purchase of more property will shorten the waiting time for people who are waiting for accommodation in the area in which it is purchased. The Government makes every effort to accommodate the preferences of older people in this regard.

2. By region, how many (a) public and (b) private (i) nursing home beds and (ii) respite beds are there.

The ACT is not broken up into regions for the purposes of residential aged care. Following the introduction of the *Aged Care Act 1997*, Nursing Homes and Hostels are now jointly referred to as Residential Aged Care Facilities. A nursing home is now referred to as a High Care Facility and a hostel is now referred to as a Low

Care Facility. Some facilities cater for residents who will “Age in Place” meaning they enter the facility as a resident needing a low level of care and may remain in the same facility as their care needs increase. Many, but not all Aged Care Facilities now cater for both high and low care.

(a) How many public nursing home beds and respite beds are there.

- i) There are no public nursing home beds in the ACT.
- ii) The ACT Government funds 15 emergency respite beds at Burrangiri Respite Care Centre. There are also a number of non residential day centre and community programs for respite in operation.

(b) How many private nursing home beds and respite beds are there.

- i) In the ACT residential aged care places are funded by the Commonwealth Government. As of December 2001 there is a total of 704 approved high care places, 942 approved low care places and 352 approved Community Aged Care Packages in the ACT. A number of these places (122) are not yet operational. Of these 122 places, 52 are non-operational due to building extensions and 76 have not yet been allocated by the Commonwealth.
- ii) The Commonwealth Government also purchases respite care days per year under the ACT Residential Aged Care Program. There are 51 beds that equal 18,615 care days per year in residential facilities that are designated for respite care.

In the 2000-01 financial year the ACT also received approval for an additional 10 respite beds specifically targeted to people with dementia. These beds are yet to be constructed and will become available in the next 18 months to 2 years.

3. By region, are there any figures on (a) waiting lists for nursing home beds by region, or (b) in total and if so, (c) what are they.

- i) The waiting list for nursing homes is held by the Aged Care Assessment Team (ACAT). Clients are grouped by where they are waiting, i.e. hospital or community rather than by region.

On 7 December 2001 there were 79 people currently on the waiting list, as follows:

Calvary Hospital	13
The Canberra Hospital	17
Private Hospitals	3
Hospice	3
Community	47

These figures include clients from Queanbeyan, most of whom are awaiting placement in NSW, and other interstate clients with family in the ACT who are waiting to access residential care in the ACT.

In addition aged care facilities hold their own waiting lists and often admit clients from these lists rather than going through the Aged Care Assessment Team.

It should be noted that some people request to stay on the waiting list for some time before accepting a place offered to them.

4. How many dementia designated beds are there.

There are 254 residential places that are dementia specific.

5. Is there a waiting list for these.

Individual waiting lists for dementia specific places may be held by individual facilities, but there is no dementia specific waiting list held by ACAT.

6. What are the current (a) regional and (b) total waiting lists.

There is no waiting list for dementia specific places.

7. By region, how many (a) residential aged care units are there and (b) what are the waiting lists figures for residential aged care units.

(a) There are 969 self care units for older people in the ACT, some connected to aged care facilities. This figure is obtained from the Council on the Ageing accommodation guide. These units are purchased or rented privately.

(b) There is no central waiting list for this type of accommodation as purchase or rent of units is not done on a publicly funded basis.

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**Nursing homes and retirement villages
(Question No 8)**

Mr Cornwell asked the Minister for Health, upon notice, on 11 December 2001:

In relation to Government-run nursing homes and retirement villages as at 11 December 2001, what is the total amount of patient/occupant debt in Government-run nursing homes and retirement villages.

Mr Stanhope: The answer to the member's question is:

The ACT Government does not own any nursing homes or retirement villages. Nursing Homes, or High Level Aged Care facilities, are privately owned and receive funding from the Commonwealth Government. The level of funding is dependent on the level of resident dependence and is assessed by a tool known as the Resident Classification Scale (RCS). Retirement villages are groups of units which are privately owned and specifically designed for older people.

The Department of Health and Community Care would therefore have no knowledge of any debt incurred in either area.

Development approvals (Question No 10)

Ms Tucker asked the Minister for Planning, upon notice:

In relation to minor amendments to development approvals under section 247 of the *Land (Planning and Environment) Act 1991*:

(1) How many minor amendments have been approved in (a) 2000, and (b) since the beginning of 2001, and (c) what is the number as a percentage of the total number of DA approvals for these periods.

(2) What was the nature of each of these amendments, ie type and location of the building originally approved, how the minor amendment changed the design of the building, why the minor amendment was necessary.

(3) What public consultation, if any, occurs in assessing an application for a minor amendment; eg. with neighbours.

(4) What notification, if any, is given to persons other than the applicant eg to neighbours, of an approval of a minor amendment.

(5) How does PALM assess whether a minor amendment will not cause a significant increase in the detriment to any person, as required in paragraph 247 (2) (c) of the Land Act.

(6) Which positions in PALM assess and/or approve applications for minor amendments.

(7) What checking or auditing is undertaken within PALM to ensure that amendments approved under section 247 of the Act are only for genuinely minor circumstances.

Mr Corbell: The answers to Ms Tucker's questions are as follows:

(1) PALM approved a total of 4293 Development Applications (DAs) in the year 2000. Of these 7% involved section 247 amendments. To date this year (2001) 4826 DAs have been approved. Of these 20% involved section 247 amendments.

(2) Minor amendments to development approvals usually relate to minor design changes to buildings and/or landscaping implemented during the construction phase of the project. Minor amendments generally include items such as the addition or deletion of a window, internal alterations (moving internal walls, altering the layout of a bathroom, kitchen or ensuite), minor changes to ground lines or height above ground level, porches and steps, the additions of minor elements like pergolas, and changes of external materials.

Considering the number of applications determined by PALM over the 2000/2001 years, it is not practical to provide the individual details of each approval.

(3) The criteria which must be satisfied for the approval of a minor amendment are clearly set out in subsection 247 (2) of the Land Act. Subsection (3) clearly defines the persons who should be given notice of an approval.

Public notification prior to the assessment and determination of a minor amendment is not a requirement under of the Land Act. It is important to note that a minor amendment is not a result of a new development application, and will not be considered unless it is reasonable to conclude that the change is indeed minor.

In some cases, applicants may provide comments from an adjacent neighbour indicating that they do not feel their amenity is significantly affected. In this instance, while the comments are of assistance, PALM will still ensure that the intent of paragraph 247 (2) (c) has been clearly met.

Where the work proposed by an amendment is clearly new work, which may include changes to the bulk or form of a building, or the addition of a window which may permit overlooking of a neighbour, the applicant is advised that the minor amendment provisions of the Land Act (s247) do not apply. The proposed changes must therefore be dealt with by way of a new application, which may include public notification.

(4) As stated in response to Question 3, the Land Act requires the relevant authority to notify the person who made the application, the lessee (if that person is not the lessee or occupier of the place to which the approval relates), and any relevant authority.

(5) All applications to PALM under section 247 of the Land Act undergo the same professional assessment as applications lodged under section 226 of the Act. The assessment by a PALM project officer involves a merits assessment of the impacts of the proposal, including an assessment against the relevant controls in the Territory Plan. The assessment often also involves a site inspection. If the applicant provides evidence of support of the proposal from an adjoining lessee, that information is taken into account during the merits assessment of the application.

It should be noted that the Territory Plan contains a series of Performance Controls, Objectives, Performance Criteria and Performance Measures. The Codes state that if the performance measures are satisfied, in most cases no further evidence of performance is required—the objectives and performance criteria are deemed to have been satisfied.

(6) Under subsection 5 (1) of the Administration Act 1989, the Minister may delegate his powers to approve an application to a person for the time being holding or performing the duties of an office. An instrument of delegation under that section permits some PALM officers of the AS05 level and above to approve applications under section 247 of the Land Act. It should be noted that senior officers within PALM generally determine the more complex applications.

(7) The current team management practices within PALM ensure that section 247 applications are dealt with in a consistent way. PALM ensures that all assessment teams are lead by senior officers. The area managers also take an active role in team decision making.

Currently no other formal auditing of section 247 amendments is carried out within PALM.

**Toilets in public areas
(Question No 13)**

Mr Stefaniak asked the Minister for Urban Services, upon notice:

In relation to provision of toilets in public areas and specifically at Cook Shopping Centre.

(1) In relation to toilets in suburban shopping centres, will public toilets be provided at Cook shopping centre, where such facilities do not exist.

Mr Wood: The answer to the member's questions is as follows:

(1) There is no current proposal to build a toilet at Cook Shopping Centre.

New toilet facilities are only constructed in open-space district parks. In new larger commercial developments, or as commercial areas are redeveloped, it is a development condition that public-access toilets be provided and maintained by the body corporate managers of the centre.

Public toilets are, however, provided in regional shopping centres as the number and variety of shops cater for a larger clientele from a broader catchment area. Although public-access toilets are generally not found in smaller shopping centres, some individual retailers such as restaurateurs do supply such facilities because they require them for the type of business they run.

**Territory-owned corporations
(Question No 18)**

Mr Cornwell asked the Treasurer, upon notice, on 13 December 2001:

In relation to Territory Owned Corporations failing within your ministerial portfolio:

- (1) What are their names;
- (2) How many staff does each employ;
- (3) What is the total budget allocation for this financial year;
- (4) What was the profit or loss made by each in the last financial year;
- (5) What administrative or functional processes does each outsource;
- (6) For each, what was the cost of outsourced staff or services in the last financial year.

Mr Quinlan: The answer to the member's question is as follows:

- (1) There are three Territory owned Corporations, namely ACTEW Corporation Limited, ACTTAB Limited and Totalcare Industries Limited.
- (2) As at December 2001 there were 744 people employed by ACTEW of which 734 were on secondment to the ActewAGL Joint Venture, Totalcare had employed 376 people and ACTTAB had 69.04 fulltime staff equivalents.
- (3) In 2001-02 Totalcare will receive \$5 million from the ACT Budget in the form of a capital injection. \$8.138 million was also included in the Budget to fund Community Service Obligations provided by ACTEW. ACTTAB did not receive any budget appropriation.
- (4) The profit or loss result for each Territory Owned Corporation in 2000-01 is detailed as follows:
 - (a) ACTEW Corporation Limited \$90,624,000 profit (consolidated profit includes subsidiaries and joint ventures)
 - (b) ACTTAB \$837,000 profit; and
 - (c) Totalcare \$7,635,000 loss.
- (5) Each Territory Owned Corporation obtains professional or specialist services such as legal or technical advice according to their needs.
- (6) In 2000-01 the following expenses were incurred by ACTTAB and Totalcare for outsourced administrative or functional processes:

(a) ACTTAB:

Accounts/Audit Services	\$38,000
Legal fees	\$70,000
Other Professional Fees	\$88,000

(b) Totalcare:

Legal Services	\$ 435,000
Information Technology	\$1,109,000
Accounts/Audit Services	\$ 157,000
Consulting Services	\$1,051,000

(c) ACTEW

The ACTEW situation in relation to outsourcing is unique as effectively 90% of all operations are outsourced to a joint venture (ActewAGL). These arrangements are outlined in the joint venture arrangements which are on the Assembly record.

Further outsourcing information regarding ACTEW will be provided as soon as it is available.

**Litter bins
(Question No 21)**

Mr Cornwell asked the Minister for Urban Services, upon notice:

In relation to litter bins in public areas:

(1) What is the Government's policy on the provision of litter bins for:

- (a) parks;
- (b) bus stops; and
- (c) other public places.

Mr Wood: The answer to the member's questions is as follows:

Litter bins are provided:

- (a) In high-use public parks where the number of visitors involved exacerbates problems with litter;
- (b) At a range of bus stops where commuters are most probably not in a position to take their litter home;
- (c) In other public places with high numbers of visitors such as shopping centres, or where specific problem sites become apparent.

In relation to litter removal generally, in urban as well as national parks, it has long been accepted that people using neighbourhood parks and other public places are responsible for the collection and disposal of their own litter, including dog faeces. In most instances, this means that people would take their litter home for either composting or hygienic disposal in their wheeled bins.

**Helicopter transportation
(Question No 22)**

Mr Cornwell asked the Minister for Health, upon notice:

In relation to helicopter transportation from the snowfields to The Canberra Hospital:

- (1) Who pays for the cost of this travel—patient or taxpayer
- (2) If the patient, what is the situation if the patient or the patient's insurance (a) cannot meet these costs or (b) will not meet these costs;
- (3) If the taxpayer, why so.

Mr Quinlan: The answer to the member's question is as follows:

As the Minister for Police, Emergency Services, and Corrections, and having responsibility for the Snowy Hydro SouthCare Helicopter, the answer to the Member's question is as follows

(1) Transportation of ill or injured persons from the snowfields is a NSW Health or Ambulance Service of NSW generated case. Under the government to government agreement between NSW and ACT, I understand that SouthCare is paid for providing such services. It should also be noted that 90% of SouthCare's funding is provided by the NSW government.

(2) Given that such cases are generated by a NSW authority, cost recovery then becomes a matter for the NSW Government, Ambulance Service of NSW, and the patient to resolve. Whether the patient pays is then based on whether or not the patient is insured and the circumstances of the request for transport.

(3) As with many other government provided emergency and health services taxpayer funding represents a component of provision of such services. The Snowy Hydro SouthCare helicopter provides a method of expeditious transport from the snowfields to a hospital capable of providing a greater level of care.

**Public libraries
(Question No 23)**

Mr Cornwell asked the Minister for Urban Services, upon notice:

In relation to ACT public libraries—

- (1) Approximately how many books go missing each year?
- (2) What is the approximate cost of these books?
- (3) What steps are taken to obtain the return of these missing books?
- (4) How do books go missing given the sophisticated recording methods now employed to record borrowers' books?
- (5) Is legal action contemplated for deliberate theft of such public property?

Mr Wood: The answer to the member's questions is as follows:

- (1) Approximately 3,000 items were not returned last year.
- (2) \$26,000
- (3) Notices for overdue items are sent when items are 14 days overdue. The members borrowing privileges are also suspended. A second notice is sent when items are 28 days overdue. Staff inform customers if they have any overdue items when they attempt to borrow other items.
- (4) Items go missing because they are not returned after being borrowed from the library. While the library attempts to recover these items in many cases the member has moved from their registered address making recovery difficult and costly to achieve.
- (5) This is an option that is considered but as in most cases the cost of the items is relatively low the legal costs involved and the difficulty in locating and identifying offenders has meant that to date no cases have gone to court.

It should be noted that where an offender can be identified this usually results in the overdue items being returned removing the need for legal action to recover the items.

Environment ACT—switchboard operations (Question No 24)

Mr Cornwell asked the Minister for Urban Services, upon notice:

- (1) How many persons operate the switchboard during (a) business hours and (b) after hours.
 (2) What is the average time spent on hold by callers (a) during business hours and (b) after hours

Mr Wood: The answer to the member's question is as follows:

(1) (a)

Environment ACT's switchboard (the Environment Helpline) is staffed on weekdays (public holidays excluded) from 8.30 am to 5.00 pm.

Staff are allocated to match demand, and numbers on the Helpline during business hours are:

Time	Staff Numbers
8.30 am-10.15 am	1
10.15 am-12.30 pm	2
12.30pm-1.30pm	1
1.30pm-3.15pm	2
3.15 pm-5.00 pm	1

(1) (b)

The Environment ACT Helpline is not staffed after hours. A recorded message advises callers of appropriate telephone numbers to call in different circumstances, including Canberra Connect for emergencies.

(2) (a)

The average time spent by callers on hold during business hours is not measured. However, the average speed of answer (i.e. the average amount of time a caller waited before speaking to a person) for the month of November was 53 seconds and for December to date was 46 seconds.

As noted above, the Environment ACT Helpline is not staffed after hours. A recorded message advises callers of appropriate telephone numbers to call in different circumstances, including Canberra Connect for emergencies.